FEDERAL LANDS MANAGEMENT AND POLICIES

OVERSIGHT HEARING

BEFORE THE

COMMITTEE ON RESOURCES
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

ON

THE EFFECTS OF FEDERAL MANAGEMENT, CONTROL, AND POLICIES ON FEDERAL FORESTS IN THE WESTERN STATES AND ALASAKA

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FEDERAL LANDS MANAGEMENT AND POLICIES

THURSDAY, APRIL 18, 1996

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC.

The Committee met, pursuant to call, at 2:00 p.m. in room 1334, Longworth House Office Building, Hon. Don Young (Chairman of the Committee) presiding.

STATEMENT OF HON. DON YOUNG, A U.S. REPRESENTATIVE FROM ALASKA; AND CHAIRMAN, COMMITTEE ON RESOURCES

The CHAIRMAN. The Committee will come to order. Good afternoon. Today five State legislators who are part of the bipartisan Western States Forestry Task Force are with us. They represent the districts in Alaska, California, Idaho, Oregon, and Washington. They have offered to assist the Committee by sharing their views on the effects of Federal management, control, and policies on Federal forests contained in their districts. They have offered to share what they think are the solutions to those problems.

This group has considerable expertise on forestry matters. They meet regularly and provide us with the resolutions urging changes to Federal laws that will improve management and cost-effectiveness of utilizing Federal lands. If that wasn't enough, every time I go home to Alaska, I hear what the task force wants next. Robin is not here, he is late, but he will be here later. He keeps me very well informed. I assure the other task force members, Robin spends 90 percent of his time with me plugging the ideas that you have agreed on. Today is an opportunity to explore task force recommendations.

It is time to evaluate the ideas that come from the states. For 20-plus years, the ideas have come from big money special interest lobbying groups who think they know what's best for this country's resources. In most instances, that philosophy led to the command and control management. Market forces are not involved. As State legislators, you five are close to the constituents in your State districts. The benefit of being so close is that you hear the wisdom that comes from the people. Most people who encounter the Federal system are sick and tired of command and control. It gives them no voice. Today is our chance to begin the process of what government should do: listen to State leaders on their vision for the future of public land management. After all, this country is the "United STATES of America". Power should come from states through the union, not from the union to the states. Power regard-

ing land management means ownership or the ability to control the system.

The broad issue is how the states might help to manage public lands better and more efficiently. In my view, the time has come to begin evaluating proposals to change that system. It is time to change the thinking that brought us command and control land management. It is time to turn to market principles. This hearing is a step in that direction and I thank each one of you for taking the time to be with us today, especially if you are in session.

Each of you has five minutes for a statement. After panel one is finished, I'll ask some questions. If others arrive, we will alternate for five minutes with questions. Then we will do the same thing for panel two. Gentlemen, the floor is yours, and, by the way, my first panel is not here and I apologize to Senator James Hargrove at this time, so I'll take up panel two as necessary at this time, Senator Tim Leslie from California State Legislative body, Representative Bill Markham from Oregon State Legislature, and Representative Charles Cuddy, Idaho State Legislature. Are you in the audience? All three of you. You're right on time. You will not be penalized.

Unidentified Speaker. Senator Hargrove is here, too.

The CHAIRMAN. OK, well, Senator, why don't you go ahead and then we'll sit down with them, and then when Robin comes up he can do his thing later on.

Mr. HARGROVE. Oh, OK.

The CHAIRMAN. But sit down with him anyway. Mr. Cooley, do you have any opening statement?

Mr. COOLEY. No, Mr. Chairman, I have none at this time.

The CHAIRMAN. OK.

Mr. COOLEY. Thank you very much for asking.

The CHAIRMAN. First we'll hear from Senator Tim Leslie, California State Legislature.

STATEMENT OF HON. TIM LESLIE, A STATE SENATOR IN CALIFORNIA

Mr. LESLIE. Thank you, Mr. Chairman. Good afternoon, members of the Committee, my name is Tim Leslie. I'm a State Senator of the First District of California. This is a district which encompasses about 25,000 square miles of the Sierra Nevada from Mammoth Lakes on the south to the Oregon border on the north. It has approximately 350 miles of common border with the State of Nevada, and includes about 7 million acres of zoned timberland. I think, except with the possible of exception of Alaska, it may be the largest State timber district in the nation.

Timber health in this region has been devastated by a combination of factors. Early timber practices of the late 1800's and early 1900's, drastic reduction of Federal timber management through harvest, and years of drought have resulted—and the resultant beetle infestation, has left a once vital forest in a sickened condition, waiting to erupt into a cataclysmic fire.

I am not exaggerating. In a recent tour of the Plumas forest, the dedicated and understaffed and over regulated employees of the United States Forest Service convinced me that if we continue to manage the forest as we are today, there will be no forest—I repeat

that, no forest—on the east side of the Sierra within the next 50 years. This timeframe, I am sure, can be debated but the prospects of a viable forest into the future cannot be debated. Unless we change our ways and do it quickly, there are no prospects for a viable forest into the future on the east side of the Sierra Nevada.

I know that environmental interests love trees as much as I do. I cannot believe that they would wish the destruction of the forest. I cannot believe that the annihilation of the forest on the east side of the Sierra would be acceptable to them, or anyone. Surely this is at least one point that we should all be able to agree on.

I have some specific suggestions, Mr. Chairman. The U.S. Forest Service—well, first of all, the health and the condition of the Sierra Nevada should be considered as a national emergency, so that streamlined steps can be taken immediately to reduce the threat of massive and devastating fires. I don't know the process federally for a decline thus to be an emergency, but I know that there needs to be a way to do this so that we can adjust our national attention to the imminent danger that we are in.

Secondly, the U.S. Forest Service has prepared a report called the Technical Fuels Report. It's a report of the Lassen, and Plumas, and Tahoe National Forests. This report, Mr. Chairman, is a prescription developed by the U.S. Forest Service for the purpose of limiting fire danger in the three national forests that are included. The report covers an area of about 2.4 million acres and its stated objectives are to improve fire safety, protect communities, and ensure fuel treatment, done in a strategic manner. The report calls for Defensible Fuel Zones. This would be the equivalent of modified fire breaks through the ridge tops of the forest; also Community Defense Zones and Fuel Reduction Zones. My recommendation to you is to some way please help us have this report implemented.

The third recommendation is that we consider the implementation of this Technical Fuels Report in the Plumas, Lassen, and Tahoe National Forests as a pilot project for the nation. Many of my fellow colleagues from the West have conditions in their forests that resemble what I am describing. If we could implement this report, I think this would make an excellent example of how we could take immediate and rapid action to reduce fire danger in our forests.

Fourth, I would—my recommendation is the House Committee on Resources should schedule an on-site inspection of the region to determine if the hazards are as I have stated and determine the viability of this region for a pilot project that would test the recommendations of the Technical Fuels Report for other areas in the West.

In conclusion, let me say that the lands I am talking about are substantially in Federal ownership. I believe that that means that the Federal Government has a responsibility for managing these lands. I can report to you that the Federal Government is doing a terrible job in managing their responsibility and we're about to lose the forests. As I said earlier, there will be no forest on the east side of the Sierra unless we change our forest practices immediately. Surely this is an alternative that is unacceptable to everybody.

I have introduced Senate Joint Resolution 41 in the California Legislature which will be considered in committee shortly, which encourages the President and the Congress of the United States to direct the United States Forest Service to fully implement the recommendations contained in the Technical Fuels Report. I have also asked Governor Wilson to make a similar request.

The Technical Fuels Report was prepared by the U.S. Forest Service. It is the best available suggestion and recommendation for saving our forest. I am not calling for something radical. I am simply requesting that we do what your own experts, and our experts, the United States Forest Service experts, have said is necessary to protect the majestic forest of the Sierra Nevada. So please come to Lake Tahoe and let me show you what I'm talking about. Thank you.

[The statement of Mr. Leslie may be found at end of hearing.]

The CHAIRMAN. Thank you, Senator Leslie. I have been to Lake Tahoe. I would like to go again and have a chance to observe what you're referring to. Representative Markham.

Mr. SHADEGG. [presiding] Mr. Markham.

STATEMENT OF HON. BILL MARKHAM, A STATE REPRESENTATIVE IN OREGON

Mr. MARKHAM. Thank you, Chairman Shadegg, and Representative Cooley. It's a pleasure to be here. I appreciate the opportunity to testify on transferring management responsibilities of Federal lands to the State of Oregon. I will direct my remarks toward a proposal to transfer the Oregon and California Railroad Lands, commonly known as the O&C lands. These Federal lands have been very vital to our local communities. Not only have they yielded valuable timber to our economy, jobs for our workers, but they have also generated critical revenues for our counties.

I have personally been in the timber and logging business all my life and have become very frustrated with the results of the Federal forest management. It has taken a severe toll on us, and we have yet to see the controversy diminish. I feel there are two avenues left to us: one, change the Federal law, which I have my doubts personally, or, two, transfer these lands to the states without strings that are tying the hands of the Federal land managers. Transfers should take place only to individual states that would have the management responsibilities, and willing to accept those responsibilities.

If the Federal laws are changed, the many complex Federal laws affecting land management should be revised to provide consistent direction. The Federal land planning process should be streamlined and expedited. Laws like the National Environmental Protection Act, NEPA, have too often been used to block good forest management. This has especially been the case where NEPA requirements conflict or duplicate those found in other statutes, and has caused a vast majority of litigation without resolving the forest management problem with the Endangered Species Act. Further, the people that live near and depend on the Federal lands should be given a strong voice in the development of these forest plans.

If the O&C lands are transferred to the State of Oregon, then the State should be able to manage those lands under State law with-

out all the complex and overlapping laws that have been affecting today's Federal forest management. The projected harvest of O&C lands has fallen to just over 200 million board feet per year from the historic levels of around 1 billion board feet per year, and as a result we have seen a very sharp drop in both Federal timber receipts for the counties and forest products related jobs.

Congress should set up a process for transferring the lands which includes the criteria of eligibility for transfer, allowing as much flexibility as possible for the State management, and identifying which lands should remain in Federal ownership.

And finally, I believe that Oregon has done an excellent job managing its own State lands and will provide many of the benefits currently provided under Federal management. In Oregon, we have taken a very sensitive approach to managing for the environment while still generating jobs and the timber necessary for our local economy. Recently, the State of Oregon signed a Habitat Conservation Plan for our Elliott State Forest which allows us to take care of threatened and endangered species while still being able to log timber thanks to the Federal Fish and Wildlife Agency agreeing with our model there in Oregon. I appreciate the opportunity. Thank you, Mr. Chair, and Members.

Mr. SHADEGG. Representative Markham, we appreciate your testimony. I should have deferred to Mr. Cooley who, perhaps, was at one time your colleague——

Mr. MARKHAM. Very definitely he was, sir.

Mr. SHADEGG. [continuing]—for any introduction. Mr. Cooley, would you like to make any remarks?

Mr. COOLEY. I didn't hear you. What?

Mr. SHADEGG. I just wondered if you wanted to introduce your colleague. I didn't recognize it until after the fact.

Mr. COOLEY. Yes, Bill Markham, I would love to introduce Bill Markham. Bill Markham, believe it or not, has been a personal friend of my father's for over 40 years, and he comes from a very, very respected family in his district. In fact, I think he was the oldest—not oldest in age, but he served longer—in the Oregon State Legislature than any other member of the legislature. He was Speaker of the House Pro Tem and he has contributed a great deal to the State of Oregon in public service over the last 24 years now, Bill?

Mr. MARKHAM. Twenty-six now.

Mr. COOLEY. Twenty-six? Twenty-six years, and we are very much honored to have him come here and testify. As you know, the testimony given by the other gentlemen here pretty much matches what a lot of us feel here in Congress, and I think we're probably as frustrated as they are, but we are trying to make some drastic changes, and I appreciate your coming out, Bill.

Mr. SHADEGG. Thank you both. Now Representative Cuddy.

STATEMENT OF HON. CHARLES CUDDY, A STATE REPRESENTATIVE IN IDAHO

Mr. CUDDY. Thank you, Mr. Chairman and Members of this Committee. We're honored to be here today. Two adjacent legislative districts represented by myself and Senator Danielson, who is with us here today, encompass approximately 20,000 square miles

of an area larger than many states here on the Eastern Seaboard. Included in these districts are all of the Clearwater, all of the Nez Perce, all of the Payette National Forests and part of the Panhandle and the Boise National Forests in Idaho. This is the heart of some of the most productive inland forest land on the east side of the peak of the Cascades.

Four million acres of these lands are contained in the Nez Perce and the Clearwater National Forests. Approximately 50 percent of this land is productive timber land. If efficiently managed under multiple use and forest health concepts, the financial benefits to all levels of government and public schools would be substantial increased. Further, recreational access and value to the general public would be enhanced. I have distributed an article with my testimony that was written by the Rocky Mountain Health Foundation. If you want to review that, it has a couple of statements in there that are very typical of what's transpired on the western timber lands. This problem has substantially and simultaneously reduced wildlife habitat and resource production, while at the same time exponentially increasing the probability of occurrence of devastating, uncontrollable wildfire. The last paragraph on page one and the first paragraph on page two of that article directly relate to that.

These conditions and many others have impaired professional resource managers on our federally owned land, and are in dire needs of measures to correct conflicting laws and modify regulations that are the root of the management dilemma. In my estimation, the problem does not lie with the Federal employees who are charged with attempting to professionally manage the resource, but with the conflicting laws, rules, and regulations I just mentioned that invite appeal and litigation. In that regard, I understand a study of these rules and regulations and laws was presented to the Department of Agriculture some time ago. This could be a very useful tool in resolving some of the impairments that deter efficient management.

As an Idaho legislator, I have found even within the State it can be very difficult to draft resource legislation that is applicable to all the various types of vegetation, topography, precipitation, et cetera, that's encountered and may change from region to region. As a result, we have adopted laws that allow our Department of Lands and our Department of Environmental Quality to cooperatively draft forest practices and water quality regulations that are reasonably implementable and protect the environment.

There may be a process available that could lead to more rapid resolution of the Federal management difficulties. I would like to suggest negotiation with each State to contract and manage, under State law, parts of the Federal land. This would not only help resolve the problems associated with conflicting Federal policies but would put to rest the national tug of war resulting from pressures from different interest groups and the Federal agencies that claim various amounts of overlapping jurisdiction.

A recent inquiry with one of the national forests in my legislative district revealed the fact that any timber sale of substantial quantity is appealed, and on many occasions more than once. This represents approximately 50 percent of the sales but, more impor-

tantly, it consumes more than 50 percent of the time to prepare the sales. Clearly the best example I can give you demonstrating the difficulties, delays, and overreaction that occur with timber sales took place on a small State timber sale that was on State endowment land located on the middle fork of the Clearwater River. The project required about one-quarter of a mile of access over an existing crushed rock surfaced Forest Service road, which had been used by the Forest Service for timber removal. Federal agencies then reviewed the sale boundary, disregarding the fact that this sale was on State land and complied with the State Forest Practices Act and Water Quality Standards. After these reviews by Federal agencies, several of which included National Marine Fisheries, the only change was to remove five trees from the sale boundary. This process took approximately 18 months of delay of the sale, and it was for about 50 truckloads of logs. Included in this presentation is an executive summary of a study of the impacts, of timber impacts, in North Central Idaho. The point that I wish to make is the fact that this reinforces that the Federal Government needs to change its management policies where the Federal Government is the predominant landowner.

This year, with bipartisan sponsorship and participation, Idaho passed legislation that provides an opportunity for the State to entertain negotiations with the Federal Government to contractually manage multiple use forest lands. Negotiations of this magnitude would require serious consideration of several issues from both entities. In particular, recreational opportunities would have to be maintained, public access would need to be planned and provided for, and revenue would need to be shared in a manner that continues to provide funding for local entities of government in lieu of taxes. Thank you, Mr. Chairman and members of the Committee.

[The statement of Mr. Cuddy may be found at end of hearing.]

Mr. SHADEGG. Senator Hargrove?

STATEMENT OF HON. JAMES HARGROVE, A STATE SENATOR IN WASHINGTON

Mr. HARGROVE. Thank you, Mr. Chairman. I am Senator Jim Hargrove. I happen to be a Democrat. I have represented the Olympic Peninsula for 12 years in Washington State. I am also a professional forester. My district has over 1 million acres of wilderness in it, and another 800,000 acres of U.S. Forest Service land that have been put in a virtual preserve status by Option 9.

The sustainable harvest on the Olympic National Forest prior to the spotted owl listing was 220 to 230 million board feet a year. Under the President's plan, it is about 4 million feet of thinnings designed to produce more habitat. In 1992, the target for owls in the recovery plan by the U.S. Fish and Wildlife on the peninsula was 200 pairs. We now have counted 229 pairs in the national park alone with another 107 pairs outside the park, 50 percent over what it was said to be necessary for recovery, and even the scientists say that the population is stable. Basically, we have a situation where every time we meet a target the goalposts are moved.

What are we trying to save? The real issue here seems to be cutting trees at all. In fact, the only mature timber sale to be harvested in the last several years is on the Qulicene district. It was

a 318 sale that was recently freed up by the salvage rider, and this harvest brought screams and protests from the environmental community, I hear over $300,000 in law enforcement costs, to get this 50-acre timber sale harvested, and also with that a promise from the President to repeal the salvage rider. I'd like to remind you that the Section 318 sales were approved under a Democratic Congress. I was back here working with them at the time to get that section approved.

We also have the Endangered Species Act affecting our State and private lands with the State rushing headlong into an HCP without fully understanding the consequences and private landowners being blackmailed into HCP's or risk-onerous regulations and takings citations. I brought with me, although I didn't include it in my testimony, a chart showing the State harvest over the last 8 or 10 years.

[Chart]

In 1986, 334 million board feet were sold in the Olympic region. In 1994, it was 56 million board feet. So we're talking about a precipitous fall on State lands, and this is being used as the argument to, basically, blackmail us into an HCP, to say if you get any harvest back at all.

Three years ago some of my mills were told to re-tool, cut younger timber and second growth, and that isn't working either. An example is Mayr Brothers, a 60-year-old firm, that having built a new small log mill just went down last week and it's not known whether they will ever start again. Basically, even when they're cutting small timber and second growth they can't sell the lumber for what they have to pay for the fiber.

Where is the balance? As a forester, I realize we need to continue to do research and learn how to better protect our environment. This produces more fiber over the long run while protecting the quality of life we all enjoy. I know even the most ardent logger agrees, but what he can't understand is the new religion, the insistence that we cut no more trees. First it was the spotted owl, then marbled murrelets, then salmon, and even if none of these are really threatened, then it is the intrinsic value of old growth. The next will be any tree on any land. I don't believe they'll stop just with old growth or just with Federal land, and I believe really that agriculture is the next main area of our country to be hit. In fact, I've already heard a proposal to turning plains states back into plains, and I don't know where we're going to get our food from. It doesn't come from grocery stores.

I think if you—as a forester, also, you realize that if you don't do any management enforcing, then Mother Nature did management in forests. There would be wind storms, and floods, and things that would remove timber over time and we'd get the mix of species and old trees we have. If you leave those forests untouched, the forest ecology will gradually disintegrate into basically brush fields over time. So, basically, the current opposition to cutting is not for future generations but it's so that we don't have to see cutting and it sacrifices our forests for generations in the future.

We need to make some fundamental changes in the law. The first would be to protect the viability of the species only, not its via-

bility in every location. The marbled murrelet is a perfect example of that. Another practical help would be to have a sufficiency language for HCP's for private landowners that give them long term commitments. Right now they only get a takings, incidental takings, permit for the species they planned for. You find one more species, back to the drawing board. We also need a quick process for de-listing species; we also need to compare the costs to humanity in the protections to our species, and if—and assume some risk, because right now I think we're operating under a no-risk scenario. And the last is property rights, and I know you're considering that.

The families that live in my timber communities are hard working, tax paying citizens that have never asked for a handout and only want to make a living and raise a family. They have been let down by the country they love. The headlines are gone and so are the log truck rallies, and many of my timber workers have been ushered off into retraining, hoping for some future somewhere.

Yes, there is still something of my industry to save but the real question is what industry, what region, what class of American citizens, or even the whole country, will suffer from this new religion?

[The statement of Mr. Hargrove may be found at end of hearing.]

Mr. SHADEGG. Senator Hargrove, let me compliment you on what I think to be some of the best testimony I've ever heard in this Committee. I certainly hope we can disseminate your views. In my own State of Arizona, it is indeed a religion and it is indeed the use of the Endangered Species Act to protect all kinds of other goals that are sought, including, as you pointed out, just the preservation of old growth timber for its intrinsic value just because it is pretty and valued, and the other point I think I just wanted to comment on quickly is this whole notion of protecting each species wherever they are found, no matter what it takes to protect them in that location, and it doesn't matter if there are billions of them somewhere else, you're—and it's not even if they are here. If they "could be" in this particular location, then we have to protect them. It's insane. I really appreciate that excellent testimony. I notice you gentlemen have made an accommodation so we allowed Senator Taylor to join the panel. It seems to me to make sense to make it into one panel, and so Senator Taylor why don't you proceed? Thank you.

STATEMENT OF HON. ROBIN L. TAYLOR, A STATE REPRESENTATIVE IN ALASKA

Mr. TAYLOR. Representative Shadegg and Chairman, thank you very much. I thought before—you've got this all typed up, of course, and I can read it to you, but as we all sit through the same process at times, I thought I'd just maybe give you a little story, being from Alaska and representing the panhandle of Alaska. We have polar bears, not in our area but on the northern end of the State, and this young polar bear had just gone off to his first day at school and returned home to talk to mamma and papa polar bear. He said, "Are we real polar bears?" They said, "Yes, we're real polar bears." "OK." The next day, he came home from school and he said, "Mom, are you a pure-bred polar bear and is dad a pure-bred polar bear?" She said, "Well, yes. Yes, we are." He said, "Well, were grandpa and grandma polar bears? Were they real polar bears,

too?" She said, "Yes, yes." She said, "Son, what is it that's troubling you?" He said, "Mom, I'm freezing!"

Well, that's the problem we're facing. We're a bunch of dependent timber people and communities. We're trying to figure out how come we're froze out of the system. We look to you as the owner State, I guess, of a vast empire that's being managed by your agents, and we are totally dependent for every aspect of our lives upon that resource base. Whether we're grazers, or miners, or timber operators, we're totally dependent upon that base, and we don't know how come we're freezing. We don't understand it.

My home community in Rangel, Alaska is suffering 40 percent unemployment today. It makes Jim's community of Forks, Washington, look pretty good. We were politically put out of work by this Administration when they canceled the 50-year contract, and they're being sued for it, and I predict that they will lose, and that the Federal Government will probably end up paying $1 billion to a Japanese firm for wrongfully terminating their contract. In the process, they've destroyed literally hundreds and hundreds of families.

Our domestic violence statistics for both Sitka and Rangel, the two communities most severely impacted when the Clinton Administration canceled the long-term timber sale contract, more than doubled. We're all concerned about the environment, but no one seems to have any compassion for the environment of the children, the abused wives, or the frustrated families. Congressman Young, it's nice to see you.

The CHAIRMAN. [presiding] Yes—you've been penalized. You're in the penalty box here, my friend——

Mr. TAYLOR. Well, I was just going through some of the concerns that we as a group share, and it brings us together, and that's our dependency on a timber base and upon the Federal lands for that base, and I wanted, since my testimony had been all typed and prepared, I wanted to present you, if I could, with a gift—and if I could approach the bench, so to speak?

The CHAIRMAN. Now, wait a minute. Is that worth more than $10.00?

Mr. TAYLOR. In fact, this is a gift from an old friend to a friend to a friend——

The CHAIRMAN. Can we change gifts?

Mr. TAYLOR. I want to read the inscription on this for you. It says, "On behalf of the people of Alaska—The woods that make up the mallet head come from the different forest trees of Southeast Alaska. Yellow cedar, red cedar, western hemlock, and Sitka spruce are laminated together to make the head.

Unidentified Speaker. What makes up the handle?

Mr. TAYLOR. The handle is a bone from a whale.

Mr. SHADEGG. Is that endangered?

Mr. TAYLOR. I don't think so but the—I'm sure the animal who had it is endangered.

Mr. SHADEGG. Go ahead, Mr. Taylor.

Mr. TAYLOR. Congressman Young, we really wanted to thank you, and as chairman of this group it was my privilege to thank you again on their behalf for taking the time to listen to our testimony today. We are very concerned, as you know, about the lives

of our—of the families who live in our communities and the constituents who elect us, and we find that there is a lack of concern upon the bureaucracies that regulate us as concerns the wealth that should be generated for this nation from the good stewardship and use of these resources, and an almost complete disregard of the impacts that the Federal decisions have upon the families who are so dependent upon these resources, and we look to you and to your good Committee to please hear us before there aren't any of us left.

I am daily assisting friends in Rangel pack pickup trucks to leave that community to go try to find work. A man who worked 15 years in the sawmills, a good friend of mine, the Federal Government just paid for him to take a 1-year course to become a barber. He earned $50,000 to $60,000 a year in that sawmill. I don't know what—I don't think he's going to make that barbering, and I guess that concludes my comments.

[The statement of Mr. Taylor may be found at end of hearing.]

The CHAIRMAN. Thank you, Senator, and I can assure you, and for those of you who have been in the legal process, I do apologize. We do have five members, or did have five members here. It's been a very busy day, but your testimony and your comments will be entered into the record. Most of the people here today are very aware of the problems you brought forth, but I'd like to just ask the one question—quite a few questions but—Mr. Leslie, you mentioned this, too. I think all of you agree, you're not only interested in the job part of it, you're also interested in the health of the timber itself, the forests themselves, and this has been far overlooked by this administration and even some of the previous administrations. What are the potential for additional fires and what extent would they do the damage they did in the past? Mr. Markham?

Mr. MARKHAM. I'd like to make some comments, Mr. Chairman, if I may——

The CHAIRMAN. Yes.

Mr. MARKHAM. [continuing]—with regards to what's going on. Each year in Oregon approximately 1.6 billion, that's billion, board feet of timber, over one-third of Oregon's total annual harvest, timber harvest, is destroyed by insects and disease.

The CHAIRMAN. It's being destroyed.

Mr. MARKHAM. If that doesn't catch somebody's attention, I don't know what the heck I could do, and that's not me talking, that's our State Forestry Department, who have a lot of technicians. Tragic.

The CHAIRMAN. Are we allowed to cut those trees or are they going to waste? How much money, how much revenues are they getting from cutting into the dead trees?

Mr. MARKHAM. They won't allow it. The Forest Service's hands are tied. They get tied up in all these lawsuits. They can't move a log truck, if you will, or a chain saw.

The CHAIRMAN. Yeah.

Mr. MARKHAM. Eastern Oregon is becoming—you can't believe it if you fly over it, the dead and down.

The CHAIRMAN. Well, I can believe it because we have the same thing occurring in parts of Alaska. We had been harvesting a lot of our trees, not nearly as many as we should, and it can be a tre-

mendous, terrible fire if it ever catches on fire. I don't know what's going to happen because you could never put it out—Tim?

Mr. LESLIE. Well, Mr. Chairman, some of—one of the things that I had mentioned when you were out of the room is that the east side of the Sierra is in terrible, terrible danger of fire, but it's not a question of "if" there's going to be a fire——

The CHAIRMAN. When.

Mr. LESLIE. [continuing]—because every year the storms come over and 70 percent of the fires are started by lightening, and it is going to happen, but we have whole watershed areas where 60, 70, 80, even 90 percent of the timber on the side of a hill is dead. Now what will happen, sir, is the lightening will hit it. It will become not just a Mother Nature kind of fire. It will be a cataclysmic fire because of lack of management. It will burn, then the trees will be standing dead, then the wind will come. The trees will be knocked down, and 30 years later it will re-burn, and by the time the second burn takes effect the soil becomes so destroyed that the only thing that will be left is 4-foot high sagebrush into the future, and right now—and I invited the Committee—in fact, I challenge the Committee to come and look yourself. Please let us host you of a tour of the dead and dying trees in the east side of the Sierra Nevada, and you will see the process that they call desertification. The desert is actually coming up from Nevada, coming all up the side of the Sierra, and will overtake the Sierra Nevada. Now this seems impossible to believe but it is the truth that probably in about 50 years there will be no forests on the east side of the Sierra Nevada.

The CHAIRMAN. What—you all have been around a little while. I know Robin has been around longer—just about as long as I, but not quite as long as I have. When did this concept of non-management—I think I heard it right, there is no management now under the Forest Service directive, is that correct? When did that really start? Has that been 10 years, 12 years, 5 years, 15 years ago?

Mr. LESLIE. Well, I believe that, speaking of the region that I was referring to, we saw the impact when the northern spotted owl was declared endangered and the restrictions were put on timber harvests, because that's the way you manage. You manage through normal, carefully planned harvesting. When that happened, then we had the other spotted owl that's very similar to the northern spotted owl, but I guess under a microscope you can make some difference in it, not threatened, not endangered, not on any list, but the Forest Service said, "Well, we're so worried that what happened because of the northern spotted owl will happen down here, that we're going to treat these lands exactly the same way." And so when the harvesting stopped, the management stopped.

The CHAIRMAN. OK, Robin, how do you address the argument that Federal land in the West belongs to all Americans—Mr. Kildee is here from Michigan—and ought to be managed for everyone. Is the managing for everyone possible?

Mr. TAYLOR. Well, if—I would just love to have the original 15 states, the first 15 states of the United States, be blessed with the same level of management that the rest of us are. There are no Federal U.S. Forest Service employees currently managing the forest lands of New York, and as a consequence New York produces

over a billion and a quarter board feet of good, commercial timber every single year. This is in an area that we were told was all cut over. Remember, our forefathers girdled every tree and chopped it down so they could grow a little corn. We were told they destroyed it. The East Coast has got some of the most beautiful forests you've ever seen. One of the largest pulp mills in America is 35 miles from where we're sitting right now today.

Now, trees regrow. We have places in Alaska where the glaciers have only receded in the last two or three hundred years, and you can actually watch and see the growth as the new dirt and rock turns into dirt, and you end up with this staggered forest going on out toward the coast. What has happened? What has happened is total, absolute lack of management by a Federal system that has become enchanted with bureaucratic boutique words like ecosystem management when they don't even know what an entire ecosystem is. It's the whole earth, I guess, because we're all interconnected, but these people seem to have no conception, Congressman, of how to manage their own lands.

The best examples I can give you is can you imagine what our salmon resources would look like today in Alaska had we not become a State and taken over the management of our salmon fisheries? At the point in 1959 when we became a State the salmon runs had been decimated by Federal management. Our creeks had been robbed, blue stoned. Our fish had been decimated by fish trapping. When we became a State we outlawed that, started enforcing the piracy on our fish strains, started restocking, building hatcheries. I was a commercial fisherman for 8 years. My livelihood depended upon that resource. Today Alaska produces four times the volume of fish produced under Federal management. Had we left it up to the Federal Government, they would have totally destroyed those runs. That's what this same government is doing to the largest national forest you have, the Tongass.

The CHAIRMAN. I know we've got a vote on, too, but one thing that—the challenges that have come out. My problem is Mr. Kildee is probably the most dedicated individual—now, he doesn't necessarily agree with me but at least he comes—there are not many people on this side of the aisle willing to listen or understand what you're trying to tell us. They don't care whether all the trees die. They say they do, but they don't care. They don't care whether you lose the jobs, and unfortunately—I know I'm going to set up a trip and we'll see how many of you on the other side of the room will go along and go look at this, instead of listening to the Sierra Club, and Friends of the Earth, and Trustees of Alaska, and every other green group that has no concept of management. That's the most frustrating reason I have because I've said in Alaska, now, we have 27,000 acres in one small area of Alaska that the beetle killed. It has houses around it. If it ever catches on fire—finally we got harvested areas in the Salvage Bill. We're cutting all these dead trees down so that fire won't occur and new trees are going to be planted and it will all be back. And most people have been fighting that business. Helen, and Wes, and Mr. Kildee, it's been my intention, if it's all right, do you want to come back and ask some questions and we'll recess for about 10 minutes and——

Mr. KILDEE. Could I just make a statement?

The CHAIRMAN. Yes, sure.

Mr. KILDEE. I won't be able to come back but I do appreciate the legislators. I served in the Michigan House and Senate both before I came down here. I was, as the Chairman will recall, the chief sponsor of the Michigan vote in this bill, but I worked with the Michigan timber industry because we released more land than we put under wilderness, and I think we can have a multiple use balanced plan.

My dad was a lumberjack. He—in 1921 he rode the last load of logs into Trevor City, Michigan, of bridge and timber, and—but we are rebuilding our timber industry there in Michigan. We made some serious mistakes by overcutting it, but we are rebuilding it, but we're just trying to avoid the serious mistakes, but one other thing. I did—remember we killed the Johns Bill, the low cost bill? I helped do that, too, because Michigan, in restoring its timber industry, very often the costs are a little higher to get into those trees and harvest them, but we did—we killed that——

The CHAIRMAN. Just out of curiosity can I ask the gentleman how many mills do you have in Michigan now?

Mr. KILDEE. They would all be outside of my district and I can get the figure for you.

The CHAIRMAN. OK.

Mr. KILDEE. I don't know but——

The CHAIRMAN. Because, well, we're bringing up that California, Oregon, and Idaho, and Alaska have been devastated at the amount of mills that were closed. I mean we're lost in this.

Mr. Kildee. The main thing in Michigan now, because we're rebuilding, we are adding——

The CHAIRMAN. And just like New York has 50, 60, 70 mills in New York, including one of the largest pulp mills in the United States, but it's private land and it's managed. What we're saying here is there is no management on Federal lands. They are destroying this forest. If it ever catches on fire—and what a loss. I mean, what a loss—but anyway, we've got to go vote.

Mr. Kildee. Thanks.

The CHAIRMAN. We'll be back in about 5 or 10 minutes.

Unidentified Speaker. We'll wait. We're not going anywhere.

[Recess.]

The CHAIRMAN. Robin, I'll finish up with you for right now. Would you tell me what Federal decisions such as contract cancellations, slow permitting processes, land withdrawals have most impacted our constituents in Tongass, and tell us why you think the State system would produce better decisions for the people and land? I know you know what I'm referring to. What's happened there under this management program, what's supposed to be managed, and what possibly could work better in the future?

Mr. TAYLOR. Well, I've just come, as you know, from Senator Murkowski's hearings on TLMP where the Forest Service is now presenting their new ASQ for the Tongass, and the new ASQ will be about 260 million board feet. This is in a forest base that in the fifties was, under a 100-year cut, was over a billion board feet, was what the ASQ was. Actual cut was running as high as 700 million. This year, Ketchikan Pulp Company, which needs approximately 200 million board feet of total volume to sustain its operations will

be harvesting 50 million total board feet on the national forest. That's an astounding number because, as you know Congressman, 50 million board feet would be harvested by about 15 workers in less than 2 months of a summer. So——

The CHAIRMAN. What you're telling me, we won't have under this management program any industry left in Southeast Alaska.

Mr. TAYLOR. Ketchikan Pulp will only survive this year off of Canadian timber that they will import from Canada to keep their mill running, which means all the jobs are in Canada of harvesting and trucking, and the utilization of a small amount of native timber coming off private lands in Alaska just to keep the pulp mill open. As we sit here today, the 4-x–4 sawmill there at Ward Cove (Phonetic) is closed down. The mill in Metlakatla (Phonetic) is closed down. There is not a sawmill operating, as far as I know today, in Southeast Alaska.

So Federal mismanagement, court decisions, and specifically the decisions made by the Clinton Administration, we believe, through Katie McGinty, Al Gore, down through Jack Ward Thomas have specifically resulted in a loss of over 40 percent of the timber based economy of Southeast Alaska. We believe as a State that we can do the same job of recovery in our national forest that we did in recovering the salmon resources so decimated by Federal management in the fifties.

The CHAIRMAN. Just one thing, Robin, how do you respond to the people that say, "Well, nature is the best manager of timber"? I mean, I've heard from all—we know it's not but, how—"if we weren't here, wouldn't the trees do la-da-da-da"?

Mr. TAYLOR. If you and I each could live for a couple thousand years, we might be able to sustain ourselves off of that type of management perspective. It's that sort of philosophy that results in the complete burning down of Yellowstone Park, and yes, you can wait another two or three hundred years for that park to come back. We don't seem to do the natural philosophy when it comes to harvesting wheat, or corn, or anything else.

The CHAIRMAN. But, in history, wasn't there a big fire in Canada at one time that burned billions of—literally billions of board feet down—it was in the twenties or even before that? That was because the so-called management was "natural management" that it burned flat?

Mr. TAYLOR. That's true.

The CHAIRMAN. And now they're cutting a lot of those areas. Canada is selling us the timbers you said.

Mr. TAYLOR. Well, the Canadians are actually looking at the very same multiple use concepts that we have historically used, and that provide—we have to recall this, Congressman, that the Region 10 foresters are some of the finest sylvaculturists in the world if they're allowed to stay in their profession, but they've become sociologists. Instead of making decisions based on science and good sylvaculture and good stewardship, they're making these decisions based upon polls. They're going—I listened to Phil Janek and Jack Ward Thomas this morning tell Senator Murkowsky, "Well, yes, we have the same science we've always had but the important thing is for us to go out to the public and get public input." Well, that's like a neurosurgeon going out on the street and asking the cab

driver what type of surgery he ought to do. Either these people are sylvaculturists who know something about their job and should be doing a professional job, or they're pollsters and we don't need them.

Unfortunately, you can't manage a forest based upon pollsters and what may make somebody feel good in Albuquerque. You have to base that forest management decision on good science, and that's why we believe State management would be much better for the forest, and for the health, and for the environment of the people who live within it. We can't afford to have Senator Leslie's beautiful Tahoe Basin destroyed by fire. There are a lot of homes and families that are living in that area. They can't afford that. The current management systems and regimens——

The CHAIRMAN. How do we get the message——

Mr. TAYLOR.—all of you. It's going to happen.

The CHAIRMAN. How do we get this message out there? You're all State representatives or State senators. I'm a Congressman and when Helen gets back she's a Congresswoman, but how do we get this message to the general public of what's happening to the health of the forest? How do we do that? Have you guys—is there any programs going on that would get this message to the person in San Francisco that their Tahoe Forest is ready to die, or the person in Idaho that the fires could occur? I mean, I can't do it by myself and I know you can't either, but somewhere along the line we've got to do a better program than what we're doing.

Mr. LESLIE. Mr. Chairman, that's really an excellent question. It's one I wrestle with all the time. Not only are there just a few of us on the West, but there's—most of the ones even in the West are in the urban area, and it's very difficult to get our message out to urban California. They think their toilet paper comes from K-Mart. They don't understand that it comes from a tree, and so it's a difficult thing.

This is why I really believe that the suggestion I made of trying to bring some members out to see these dead trees, because it's such a shocking visual to fly over the east side of the Sierra, or I'm sure that you could pick another place in Oregon, Washington, Idaho just as well, and see a forest that's 70, 80, 90 percent dead. I mean, this is a shocking thing to visualize, and to see the desert coming up the east side of the mountains and reclaiming the mountains.

The CHAIRMAN. Unfortunately, what I'm saying is, the group on this side other than about three of them, don't care if a tree dies. There in the Bruce Babbitt, you know, God is the only one who listens to us environmentalists and Don Young is a sinner. I'm serious.

Mr. LESLIE. But maybe those three would come.

The CHAIRMAN. I don't know how we can get this group to do that. Now, I'm going to suggest one thing. I don't know whether the national organization or what—somehow this has got to be made a news story. It's going to be a news story if one of those areas catches on fire.

Mr. LESLIE. Well, Mr. Chairman, this is why I suggested in my brief remarks that if there's some way to do it, since—now, this is just my district and so——

The CHAIRMAN. Right.

Mr. LESLIE. [continuing]—maybe it's not fair to say that this is the answer for America, but the U.S. Forest Service developed a specific fire strategy to stop the fire in the Lassen, Plumas, and Tahoe, so it's already in writing. It's been documented. It is approved and signed off on by the forest supervisors of the Lassen, Plumas, and Tahoe forests. This is their committed-to-writing suggestion on what we need to do to keep this area from burning up. I believe that after a congressional visit, it would be very possible for you to declare through whatever mechanisms you might have a national emergency in this one area and use this as a pilot project so that people could come out and see what proper management could do to save a forest from certain destruction; but you've got to convince some of your colleagues to come because I really believe that they love trees as much as you and I love trees. It's just that they have a different approach on how to save them.

The CHAIRMAN. Well, we're going to—we're setting it up where—there's going to be a trip set up. I don't know when. This is a tough year because it's an election year but a trip where people will have a chance to go out, but I'll be very surprised—other than Mr. Kildee, they just ignore this. They don't want to be exposed to the truth. They don't want to understand the realities, you know, and the only thing that will shake them up is a catastrophe and then they'll say, "Oh, boy, we'd better do something."

Mr. CUDDY. Mr. Chairman.

The CHAIRMAN. But that's what scares—yes, sir?

Mr. CUDDY. Mr. Chairman.

The CHAIRMAN. Yes.

Mr. CUDDY. In the district that Senator Danielson and I share, the Salmon River is nearly the dividing line between our districts, and as you are aware, we have endangered species of fish that use that river. Two years ago in 1994, there was a very devastating fire that went across a lot of that drainage. For the first time in my life last summer, I saw the Salmon River running red with mud. On the Little Salmon River, where we didn't have the devastating fire, it was clear. If you're truly an environmentalist, one of the things you do not want is an uncontrolled wildfire that pays no attention to setbacks from stream beds for taking of trees, or killing of trees, or however you desire to put it. But something that has control and something that controls the opportunity for this to occur, that's the most realistic picture that I have seen of the marked difference and the problem that it's caused, and we've heard, and heard, and heard for years that this sediment is ruining our spawning areas, et cetera, et cetera, but this was great because nature did it, according to some people. But last year on our Resource Committee in Idaho, of which I'm a chairman, finally one of the environmental people that represented Rivers United had to admit that, yes, that mud was no different than the mud that came off of a timber sale. The only difference was, Mr. Chairman, there was a lot more of it where it came from the fire.

The CHAIRMAN. Well, I appreciate that. I know Helen's talked to me about this and I can tell you if I could just get people to see that—the devastation that happened. I'd like to talk to Jim Hargrove, too.

Mr. HARGROVE. I have a suggestion.

The CHAIRMAN. We have a "Hargrove" in Ketchikan, don't we? Yes, go ahead.

Mr. HARGROVE. Well, I have a suggestion on your last issue——

The CHAIRMAN. Yes.

Mr. HARGROVE. [continuing]—about how do we get people to understand it, and I think that maybe some of the resource groups and property rights groups and others ought to start fighting fire with fire. We need to find and identify an endangered species on the banks of the Potomac and sue the U.S. Fish and Wildlife to make them employ a recovery plan that would depopulate Washington, DC, and if we bring that kind of a lawsuit then—and start to make some progress with it—then I think we're going to start to catch the attention of how silly some of our laws are in this country when it comes to—the reason these people don't believe it and don't see it is because there are so few people out in our areas being impacted.

The CHAIRMAN. That's right.

Mr. HARGROVE. And we're just being sacrificed to this new religion that I was talking about in my testimony. When that starts hitting home in some of our more populated areas—and it would take a little research, but I'm sure we could find something that either does live, or used to live, or there are a few left around here—then that recovery plan would be pretty incredible.

The CHAIRMAN. Well, if you can do it, I'd agree with you, because, you know, the forest in the East, as Robin said, is very healthy because it's on private land, it's managed privately, and/or State. What little forest land—it means little, but the reason they've been able to rebuild it is they have a management capability. In the West, they abuse the Endangered Species, as you mentioned. They abuse the legal process, the courts, you know. Which reminds me, I'd like you to help me clarify one point on Section 318 old growth sales that everybody seems to miss. Were you aware of the fact that 318 sales released under the Rescissions Bill totaled about 450 million board feet? Are you aware of the fact that these sales were actually assumed to be harvested under the President's program? It was the President's plan that first proposed release in these areas? Why I'm bringing this up, Jim, is that what we've been criticized about, you've been criticized about at the local level, has been with the program the President adopted, and we've been hit on the head saying we're cutting new trees under the Salvage Act, when really we're dealing with old growth section 318 sales under the Presidents plan. And I just——

Mr. HARGROVE. Yes.

The CHAIRMAN. You know, I need some help with that.

Mr. HARGROVE. Yes, not only are you correct in that fact, but I was back here working on those issues during the last Congress with Congressmen Dicks and Foley, and, of course, Senator Hatfield in the Senate. Congressman Unsold was back here at that point in time, and Option 9—these 318's sales were done for several reasons. First, they were counted in the Option 9 sales, but they were also kind of a bridge-the-gap issue. I think that a lot of us realized that before Option 9 would be fully implemented, and this was certainly the discussion that came out of the Administra-

tion, that we would need some interim harvest, if you will, to get us over the hump, and so 318, if I remember correctly, had an insulation from court appeals that was upheld clean through the Supreme Court, and that what happened to many of those sales and the reason they never got harvested is because those—these were spotted owl areas and then the murrelet was listed, at least in our area, and what slowed them down was the consultation process with U.S. Fish and Wildlife to the point where almost none of those sales actually were harvested before that appropriations bill expired, and then it threw us back into the mix again. So the salvage rider, basically those 318 sales had been carefully planned, were part of Option 9, were part of that harvest, were intended to be an interim timber supply to help get us over and into the Option 9 management. Therefore we're insulated from court appeals on that, which I think is exactly the same principle you've got in the salvage rider, so it's not a new thing that happened in this Congress. This was something that was adopted in the last Congress, and you're simply trying to make it work at this point in time.

The CHAIRMAN. Well, I know this, even under the Rescissions Bill and what we've tried to get passed, and the President did sign it, they've just not released the—the Forest Service is not releasing many of these 318 sales. They have not kept up. It's just a—it's a very, very sad set of facts. Helen, would you like to come up here and ask some questions in a moment? You can take the Chair in a few moments, too, because I have to go and talk to Senator Simon on, of all things, some desaltation program, and I'm going to ask him how he stands on timber. I'll figure out if he wants his desalination plant, he's going to start saying, "Let's cut some trees down."

Mr. MARKHAM. Chairman Young?

The CHAIRMAN. Yes? Yes, go ahead.

Mr. MARKHAM. While she's coming up may I say that you wanted to educate some of your Committee members to the problems out there. You are having a subcommittee coming to Roseburg, Oregon, within the next 2 or 3 weeks, as I remember, to look at a pilot project to—for the State possibly to take over the O&C lands. There's an opportunity for some of your people. If they're interested, then we can show them around some of this dead, dying—fully one-fourth of Oregon's forest is dead, absolutely dead. Be glad to show them around.

The CHAIRMAN. Well, I'm sure that Jim Hansen is going out, I understand, and Jim's on our side, and hopefully we can talk some other people into this program. Then we'll gladly have you show them around, because I agree with you. You don't have to—you know, one thing about it, we're all sort of talking to one another and this is for the record. We understand that, because it's—Helen has no disagreement and I don't have any disagreement, it's just that how—I've got to get their attention somehow and the only way I can think we can do it is either with a catastrophe, or like the gentleman said here, Jim, spring something here that gets their attention. You know, I'd love to have someone find the mice in this building and put them on the Endangered Species list. If they can put a kangaroo rat on the Endangered Species, we've got a unique mouse and they've been contaminated after all these years of Con-

gress, and we ought to keep them—you know, study them to see if they assumed any of the BS that comes out of the halls of Congress, and it would be unique and different. You think I'm being facetious but there're enough mice in this building here to populate most of your states, and so this is something we can work on. Maybe we ought to make this an endangered area. This is habitat for that mouse and we can't be here any more. I mean, this is how ridiculous——

Mr. HARGROVE. The whole country would be better off if you were to——

The CHAIRMAN. Pardon?

Mr. HARGROVE. The whole country would be better off if you were to——

The CHAIRMAN. The whole country would be better off, too. I agree. Helen, could you please? Then you can ask some questions. I've got to go over—thank you.

Mrs. Chenoweth. [presiding] I wanted to comment to the panel—this was a panel that I really, really wanted to hear. Unfortunately, I was on the Floor debating on the Anti-Terrorism Bill, and so it simply took longer than I had hoped. But Representative Cuddy, I am very proud to have you here, and I have read your testimony, and, as always, it's very good. Senator Taylor left the room, I think, but I found it very interesting, some of the comments that he made, and I just wanted to share with the panel that there is hope. Today in this Committee we had the sheer joy of when some of the New York congressmen who have consistently blocked our bills that would remedy some of our problems out in the West, when they came to this Committee of the Subcommittee on Forestry and Public Lands, and asked to have the United States government take over the Sterling Forest, which had always been run by the State, Representative Joel Hefley, and some of the rest of us joined him in having a substitute amendment that would require that that land be managed as wilderness. Now the debate that followed was very, very interesting. You should have seen the people who debated for wilderness out in the West debate against wilderness when it was in their own backyard. So I know that I'm taking a little bit of—I'm using the Chair a little laxly but that I wanted to share with you that we are moving ahead on some of these issues.

Senator Leslie made a very interesting comment also, and that was that maybe we should declare some of these areas emergency, and when we look at the forests in Idaho, certainly I can see that unless we use an emergency power, Congressional emergency power, and get in and restore the health of the forest, it's not going to restore itself.

But, anyway, I wanted to ask some questions here. I wanted to ask Representative Cuddy, you—in this last legislative session, Senator Danielson brought in a bill that originated in the Senate, came through your committee, that would allow the State to play a greater role in the management of forest lands. Could you explain that for the record?

Mr. CUDDY. Well, Madam Chairman, it's a pleasure to be here before you today. What we really did was pass a very simple piece of legislation that allowed the State of Idaho to enter into a nego-

tiation with the Federal Government to manage their lands. It was perceived in different manners, I guess, even in our legislature, as it has been in various other places where we discussed it. I think we viewed it, Congressmen, as a pilot project to see if we could make it work because, as you are very well aware, a number of the things that stifles the Federal Government from being an efficient manager must be set aside before the State could efficiently manage.

It's our firm belief in Idaho that we have the tools, the capabilities, the environmental laws that are necessary to protect the land while still utilizing it efficiently, and, as you are aware, in my area there's about 200,000 acres or 250,000 acres of State endowment land that is intermingled with and adjacent to 4 million acres of Federal forest land. Today that 250,000 acres on a sustained yield, environmentally sound basis is yielding 50 to 60 million board feet per year. Now, Congressmen, that's much, much more than the 4 million acres of Federal land that has much, much more capability around than it is producing right now. The reason that is, is because somebody with a postage stamp can't put us out of business for 2 years.

Ms. CHENOWETH. That's very good. What has been the response of the Land Board in Idaho with regards to this charge that the legislature put upon them?

Mr. CUDDY. The Land Board, and Senator Danielson is much better prepared to answer this than I, but the land board has started a study committee and a committee to put together some issues that they think they can come before the Federal Government with, and, yes, Helen, we are prepared to go ahead and do it as rapidly as we can to see if we can't make this situation real.

Ms. CHENOWETH. I would like to ask you—I'm not going to let you off the hook yet—I would like to ask you as an Idaho legislator, what do you feel our role should be in the National Congress to back you up in this project?

Mr. CUDDY. Madame Chair, the best thing you can do for us is to allow us, at least on an experimental basis, a place to start with a long enough term that we can demonstrate to the Federal Government we can manage it, we can manage it properly, and that it comes to us with management regulations that are in accordance with Idaho code.

Ms. CHENOWETH. Let me ask you, do you anticipate that the Land Board or their designees would be negotiating with the Forest Service with regards to the areas that would be managed and logged out by the harvested—by the State Land Board, State Department of Lands?

Mr. CUDDY. Madame Chairman, our director of State Lands, I think, is very capable of taking care of the State's part. Possibly in Region 1 there are people now that would be amenable to something that we could realistically do as far as the Forest Service is concerned. I'm not that aware of how the people out of the Ogden Region are, but we do have some new management in Region 1 and I'm pleased to say that they are doing a much better job than has been done in the past.

Ms. CHENOWETH. Representative Cuddy, let me ask you, do you feel that the State laws in Idaho are as strict or stricter than the

Federal laws, and—since the State Forest Management Practices Act and the laws that authorize Department of Environmental Quality to operate, and the laws—the State laws that the Idaho Fish and Game operate under? I'm asking you this question to see if it might be possible to transition from the Federal laws and the rules and regulations which have served to tie up our logging and harvesting, so we can transition in each State under State laws. Do you feel that's possible in Idaho?

Mr. CUDDY. Madame Chair, I absolutely do. Now, there are some caveats to that, and one, of course, is the pack fish sort of thing and the end fish sort of thing that there's really no science behind but is some—the most—to a great degree arbitrary in the numbers that they apply, but let me tell you as regular forest practices, our laws are very similar to the Federal laws. We just use a little more common sense when we apply them, and we do not have a process where somebody can intervene in the midst of that and raise issues, or red herrings so to speak, that are not part of the real issue or part of the real environmental issue. I think you will find that our water is just as clean on our State sales, or cleaner, than they are on the Federal sales.

Ms. CHENOWETH. I wanted to ask Representative Bill Markham, you've heard the line of questioning and Mr. Cuddy's answers, has Oregon looked at this particular program and——

Mr. MARKHAM. In Idaho?

Ms. CHENOWETH. The program that the laws that were passed in Idaho, initiated in the Senate, and then passed by both Houses and signed into law with regards to alternative forms of management on Federal lands, primarily State management, maybe cooperative management.

Mr. MARKHAM. Well, Madame Chairman, I'm sure that our State Forestry Department had done that and we're in the process now, and as I stated earlier, we're going to have a subcommittee of your people out here within 2 weeks into Roseburg, Oregon, with the idea of having a similar thing only it's the O&C lands which are managed by the Department of Interior, not Forest Service lands, although we'd like to do that, too, and I'm sure we can do a better job. We're doing a better job for less cost and still protecting the environment, and the owl, and all the other animals, and birds, and fish. When you get the Federal Fish and Wildlife to sign off, you've accomplished something, and we've done that, the State Department of Forestry on State lands.

Ms. CHENOWETH. Tell me, Representative Markham, do you have the pack fish and end fish policies that have been applied in lands in Oregon?

Mr. MARKHAM. Do we have what?

Ms. CHENOWETH. Pack fish?

Mr. MARKHAM. Yes.

Ms. CHENOWETH.And end fish?

Mr. MARKHAM. Yes.

Ms. CHENOWETH. Yes. Let me ask, Senator Taylor, did you hear the line of questioning with regards to turning over management on Federal lands to the states?

Mr. TAYLOR. I did, Representative Chenoweth, and I must tell you that I stand in an opposite corner on that issue. I was the one

who passed through the Alaskan legislature the resolve calling for all of the Western lands to be returned and conveyed fee simple, unrestricted, to the Western states. Let us decide where we want to have parks. Let us decide where and if we want any wilderness areas. You certainly trusted the first 15 states to do so. Nobody's imposed wilderness areas on New York or Pennsylvania, and I firmly believe that either State ownership, which I don't think is the most efficient ownership either—I believe the most efficient ownership is private. That's why we own our own houses. We don't have the State owning and managing our houses for us, and we certainly shouldn't do this either. My biggest fear is that if we go into this trust concept, what we'll end up doing is, as State legislators, we'll end up taxing our own people to enforce the silly laws that Congress comes up with to micromanage us. So we might—we're going to have our own little batch of green shirts. We'll take them off of the Forest Service employees. We'll put them on State employees who will be facing the same cadre and protocols of regulation that Congress imposes, and I really don't believe that there's anything inefficient, or more efficient, about a State worker or a Federal worker. If they're both saddled with complying with the same silly regulation, they both have to do a NEPA study, they both have to do a boundary survey or something, or an inventory on a spotted owl. Just because their name is now a State employee will not make them any more efficient, and as long as the Federal courts are available we will not have availed ourselves of any more expeditious method by which to resolve the conflicts.

Give us back the land. Trust us with the same land decisions that all the original states were trusted with, and we will return back to the Federal treasury an income like you won't believe. We'll save you half a billion dollars in the process, but don't ask me to become Mr. Schindler and keep the list because that's what you'll really be doing if you give me the management of your land under your management guidelines. That's all I'll become, is just one more overseer on the plantation.

Ms. CHENOWETH. Before the Chairman takes the Chair——

The CHAIRMAN. If you want, you stay right there. I'll ask a couple of questions.

Ms. CHENOWETH. I wanted to ask you, I know you're an attorney, but a good attorney, Constitutionalist.

Mr. TAYLOR. How many things we got there?—the only one?

Ms. CHENOWETH. What is the Constitutional legal basis for transferring land to the states?

Mr. TAYLOR. Well, the first Constitutional basis was there was no authority under the Constitution that you and I swear to uphold for the Federal Government to own any land other than that land necessary for magazines, forts, and other necessary Federal buildings as it's found in Article 1, Section 8. It's fascinating to me that when our forefathers set down to draft the Constitution, the very first piece of paper they set down on the table and hand wrote, the eighth paragraph says the Federal Government shall only own land necessary for those few items. There is no Constitutional authority for the Federal Government to own any of these land masses, and in fact, they were routinely turned over in toto to those states that were created out of them including Texas, but all of those up

through 1802. We only then started taking a very small portion of them. In fact, Senator Dole's State, I believe, is 97 percent privately or State owned; State of Texas is about 98 percent. So, really, it's a rhetorical question, and that is, Congresswoman, please tell me and show me where you have any authority under the United States Constitution to own any of the lands that you do because I don't believe you do have that authority and I think that needs to be corrected and those lands need to be conveyed unrestricted to people, and we will do a wonderful job of managing them for you. You can trust us.

Ms. CHENOWETH. I agree with you.

The CHAIRMAN. [presiding] And, Madame Chairman, I'm going to ask you one question but along those lines, how many of you—do you have comparisons in your State of State timber land and Federal timber land? That goes for all of you. What is the comparisons about yield and environmental quality of the management of State timber versus Federal timber?

Mr. TAYLOR. Jim could probably give you that and——

The CHAIRMAN. Anybody got a——

Mr. HARGROVE. The differences are dramatic as far as yield and what's going on on those lands.

The CHAIRMAN. What I'm saying is in Montana we've got a study where the State of Montana Forestry Group manages our timber better environmentally, and a better yield, and a better return to the communities than under the Federal management. Is that—would that be fair?

Mr. HARGROVE. It used to be that way in Washington until our current Lands Commissioner took over.

The CHAIRMAN. What you're saying is he has bought into the gambit——

Mr. HARGROVE. She, yes.

The CHAIRMAN. [continuing]—or she has bought into the gambit of no harvesting at all.

Mr. HARGROVE. Well, not no harvesting but basically trying to leverage off the Federal restrictions to reduce harvesting as much as possible.

The CHAIRMAN. OK. That could happen. The reason I'm saying that—it will be up—she probably won't be there very much longer either, and I'm dead serious. Your governor is not running again. It depends who is the next governor, is that correct?

Mr. HARGROVE. No, she—that's a separate elected——

The CHAIRMAN. Is she elected?

Mr. HARGROVE. Yes, State elected.

The CHAIRMAN. Then, of course, the Seattle elects them.

Mr. HARGROVE. Well, that's pretty much——

The CHAIRMAN. Yes, OK. Go ahead, sir.

Mr. CUDDY. Mr. Chairman, right in the area where I live the State of Idaho has about 250,000 acres of endowment land, and I think our environmental laws are quite adequate. We have just as good clean water as anyone. In fact, they keep coming after the water in the Dworshak Reservoir that comes out of the North Fork of the Clearwater year after year for a proposed salmon utopia that has failed to exist or transpire, and one of the reasons they come there is because of the water quality in that reservoir. Now that

is one of the most heavily logged areas and has a lot of State land along its shoreline, and it still has very high water quality, but the point that I really wish to make is that this 250,000 acres of State land, and I kind of went into this earlier, is surrounded by 4 million acres of federally owned land. Our 250,000 acres on a sustained yield, environmentally sound basis puts out 50 to 60 million board feet every year and will continue to do so. That's much, much more than the 4 million acres that surrounds it.

Now, Mr. Chairman, the other marked difference is that we are doing that with about 50 employees, and the Federal Government on those two national forests has somewhere near 400.

The CHAIRMAN. That's our government in action and we wonder why we got problems. The same thing is happening in Alaska and Robin will tell you that. When we used to have the timber program in Alaska we had very few Forest Service employees. Now we have literally hundreds of them, and we're not cutting any trees. Their argument to me in defense of them, they say, is because of all the legal work and all the paperwork we have to do, we can't—you know, we don't really achieve the goals we're seeking because we're not allowed to. Somewhere along the line we've got to stop these frivolous lawsuits somehow. Because I don't know whether it affects you in your states that much, but in our State we had testimony the other day and they were going to put up 200 and—about 300 million board feet, and I asked them a question. I said, "How much do you think will actually be sold?" and they said, "Probably less than 70 million board feet because of lawsuits." And so they put it up, you get nothing. I mean, that's just paperwork is all it boils down to.

Mr. CUDDY. Well, Congressman, I clearly understand. We're the—that 4 million acres is doing less than 50 million board feet per year. On a growth capability alone, it's over 400 million a year that that piece of ground the Federal land has is capable of producing. Sustained yield, even by their last forest plan, is around 200 million a year, and we're down to one-fourth of that. Now, that's not to tell you, and I will not tell you, that we do not appreciate—it's not to say that we don't appreciate that payroll in our town that you people are willing to provide but we would think that with that size payroll they could get something close to what we put out as State land managers per employee.

The CHAIRMAN. Well, I—Madame Chairman, I can tell you one thing. I've had the privilege to travel the eastern part of this country and the timbered areas of the American Can Company and some of the larger private property timber companies, and what's happening in Georgia, Florida, and North Carolina, and South Carolina is awesome, all on private land. They manage it, they harvest it, they plant it, and manage it, and harvest it. It helps the fish and wildlife out. We've got, you know, food crops in it. It is a classic example—I don't see that in the Federal Forest Service at all, none.

Mr. CUDDY. Congressman, I'd like to relate to you a story that just transpired recently. In regards to the fisheries issue, the Fish and Wildlife Service and the Bureau of Reclamation negotiated for 430,000 acre feet of water out of Southern Idaho for the salmon recovery plan. Now the irony is that downriver the same Federal

Government has decided that they can—and in one of the reaches where it's most critical to have this freshwater—have decided that they could irrigate another possibly 20,000 acres on one side of the Snake River that takes, I believe, about 50,000 acre feet per year. There's another proposal on the other side of the river that they are proposing to do the same thing and they're—so they've taken our water out of our agricultural area, taking it down the river, and going to give it away. There's a very good possibility, Mr. Chairman, that this could go to the new poplars that they're growing on that desert land to replace the timber land we're not harvesting, and it's on a 7-year rotation basis.

Mr. HARGROVE. Mr. Chairman, could I make a quick comment?

The CHAIRMAN. Sure.

Mr. HARGROVE. And that is that——

The CHAIRMAN. This gentleman at the end here, I'm not ignoring you.

Mr. MARKHAM. I know. Yes, thank you. Go ahead.

The CHAIRMAN. Go ahead. Jim, go ahead, and then he can——

Mr. HARGROVE. OK, yes, I think considering the whole body of the testimony here I wanted to make sure that into the record it was entered that I don't think any of us here are suggesting that every acre of land be put in a harvest-type management. The Olympic National Park, for instance, I don't ever want to see that harvested, any of that. That's 1 million acres of wilderness in my district, but the 800,000 acres of Forest Service land around the edge of it shouldn't also be added to the wilderness category, and certainly none of us are talking about cutting every last tree or harvesting in every last piece of territory.

If we're going to have that experiment of "don't touch it," if you will, that some of these people are advocating, we have huge tracts of land out there that we can run that experiment in, and the Olympic National Park is one of those areas. We have over 400,000 acres of low elevation old growth with trees bigger than you've ever seen in Alaska.

The CHAIRMAN. Now, you're meddling now. Go ahead.

Mr. HARGROVE. Well, I guess what I'm saying is that, you know, it's not like we're all sitting here advocating putting all timber land in the West under a harvest regime management, but it doesn't make any sense to put it all into a preservation State.

The CHAIRMAN. Jim, I'll ask you a question, though. You're talking about that beautiful Olympic Forest, and I've been in it, what happens if it gets sick and diseased? What do we do?

Mr. HARGROVE. Well, first of all, it does get sick and diseased, and some of that is going to fall down and die, and over time I think that that forest is going to degenerate.

The CHAIRMAN. And it'll probably burn.

Mr. HARGROVE. Well, it's pretty hard to burn with 200 inches of rain a year. It makes it real hard to get a good fire going out there, and it rains all but 2 months in the summer and it never dries out in the forest in those 2 months, but, so, I'm not sure burning is an issue for us on the Olympic Peninsula, and like I was suggesting in my testimony, over time forest ecology, those old growth Doug fir stands which were created because of wind falls, because of big wind storms, will go into hemlock, they'll go into a shade tolerant

species and the big fir will die, and fall, and they'll never be there again, and the hemlock will eventually degenerate into brush.

The CHAIRMAN. And alders will then be the final——

Mr. HARGROVE. Yes, and——

The CHAIRMAN. There will be no forest at all.

Mr. HARGROVE. Right, we'll have a degeneration into a different type of ecosystem, and if they want to run that experiment, it may take another 500 years to run, let them run it on certain areas of preserved area——

The CHAIRMAN. Yes.

Mr. HARGROVE. [continuing]—but don't keep all of the Forest Service, and all the State, and all the private land and put it in the same kind of experiment.

The CHAIRMAN. Good point. Representative?

Mr. MARKHAM. Thank you, Mr. Chairman, Co-chairman, whatever.

The CHAIRMAN. I'm sorry.

Mr. MARKHAM. Representative Markham here. Let me quote two short statistics and then make a comment on the O&C lands that the Department of Interior used to run in good, common sense forestry. First let me say that there are two-thirds of an acre for every man, woman, and child in Oregon set aside in wilderness area.

The CHAIRMAN. Two-thirds of an acre for every man, woman, and child.

Mr. MARKHAM. Yes, and we have 3.4 million people. The other thing, Washington and Oregon set aside in wilderness alone would provide a strip from Coos Bay past the Capitol over to the Atlantic 2 miles wide, and if we could only do that, maybe the rest of this country would get the idea what's going on in our backyard. They have no idea what it means. But, anyway, so much for that.

The CHAIRMAN. Before you go on let me just interrupt you for a second. I did this to Jim Johns, who used to be Congressman from Indiana——

Mr. MARKHAM. It got him.

The CHAIRMAN. [continuing]—and we got him because if you look at the definition of his area, it was a heavily forested wilderness before they started farming, and so we introduced a bill to make it all a wilderness again and it killed him. So we can get their attention because the farmers said, "What's going on?" And we told them what was going on. If you want a wilderness, I'm going to give you a wilderness in your backyard.

Mr. MARKHAM. That's right.

The CHAIRMAN. It goes back to your species here, you've got to get that mouse, or a carp, or something, you know, that we can do it. Go ahead, sir.

Mr. MARKHAM. That nut who's out in Oregon chained himself to a rock so that he could stop sales in my backyard. They won't throw him in jail because that gives him all the more attention.

The CHAIRMAN. What I was going to suggest maybe you should have left him tied to the tree.

Mr. MARKHAM. Yes, well, I could think of a few things, too.

The CHAIRMAN. Go ahead.

Mr. MARKHAM. Let me say that the O&C lands in Western Oregon, it's a strip 60 miles wide right down the gut of I–5, which

is the S/P Railroad, also. It's 2.2 million acres. 1945, after the War when I moved to Oregon starting a logging business, there were 50 billion feet on those Oregon/California O&C lands, 50 billion feet inventory. In this last 50 years, we have taken off almost 50 billion feet of timber and today the inventory is higher than it was by good management. But people don't want to listen to it.

The CHAIRMAN. Did I hear you correctly about the O&C lands that, let's see, the sustainable level of harvesting could occur on 2-point million acres of O&C lands approaches 1 billion board feet per year, is that correct?

Mr. MARKHAM. I'm not tracking with you. We had approximately——

The CHAIRMAN. The statement says, the sustainable level of harvesting that could occur on 2.5 million acres of O&C lands approaches 1 billion board feet per year.

Mr. MARKHAM. That is correct, and we've taken that off over the last 50 years and we still have a larger inventory than when we started by proper forest management.

The CHAIRMAN. How much is being harvested now?

Mr. MARKHAM. Well, almost none.

The CHAIRMAN. None? How much——

Mr. MARKHAM. Thanks to the present administration.

The CHAIRMAN. How much was harvested before the owl injunction?

Mr. MARKHAM. Well, they were taking off about 1 billion feet.

The CHAIRMAN. A million?

Mr. MARKHAM. More than 1 billion, 1 billion 200, something like that.

The CHAIRMAN. Would the State—do you think the State is ready for that transfer?

Mr. MARKHAM. You'd better believe we are and we know we can manage it well, and we can manage it even under all the endangered species stuff if we don't get all these other acts thrown in that ties up the government, the Forest Service. That's what just drives you crazy.

The CHAIRMAN. Well, I'm excited about the transfer. I mean, I've talked about this. I'm hoping we can do that. Helen, have you got any more questions to ask?

Mr. MARKHAM. Thank you.

Ms. CHENOWETH. No, Mr. Chairman, I don't. This was a very educational panel for me and I appreciate hearing about how excited you are about transferring management of these Federal lands. Thank you, Mr. Chairman.

The CHAIRMAN. Well, for the panel, again, we'll do everything we can to get more people interested in the health of the forest. It is, as I said, going to be very difficult because for some reason the Eastern group of people that don't understand forestry and aren't aware of it as what's happening in the West. They don't have the interest they should have. Charlie Taylor does. He's a forester and he argues this battle better than anybody I know of, but somehow we've got to get the Eastern people and the urban Westerners to understand that it isn't just you cutting trees down. It's just not necessarily the jobs you've lost, it's the potential health of that forest. And what will happen if we don't start managing it, because

you won't have any forest at all, and that is the problem. And as far as transferring, my goal, as long as I sit in this Chair, I'm going to try to transfer your O&C lands and I'm going to try to transfer the State of Alaska's lands. Maybe they say it's impossible. We're going to do the best we can and we've got to. You know, I introduced a bill, H.R. 2413, and it's ironic to me the same people opposing it will have to admit that, because the State manages fish, we're doing a better job than the Federal Government ever did, and we can show where the State has managed on their State lands better forestry programs than the Federal Government is doing.

Mr. MARKHAM. We can prove it.

The CHAIRMAN. And you can prove it. I mean, everybody can prove it. Tim, you had one thing before I get off of here?

Mr. LESLIE. Well, I was just going to say maybe the environs of beautiful Lake Tahoe could be used as an inducement. We'll sneak up behind them.

The CHAIRMAN. That probably might work. We don't know.

Mr. LESLIE. Even, Mr. Chairman, perhaps some of the staff of some of the Members, possibly certain key staff people could be encouraged to come out and look.

The CHAIRMAN. Well, what we're going to do is set up this trip and we'll get as many Members as we can to go out, and then we'll also—the staff is always invited. I get criticized for this every once in a while because I'm spending taxpayer's dollars, but this is a very, very, I think, informative way to get the people interested in what's going on, and somehow, though, this message has to be gotten out. I don't know who is talking to the administration other than Katie McGinty and Al Gore. I said Al Gore, he's got real strange visions. I don't know where he gets them about where man is going, and if you don't understand this timber process is a renewable product, if you don't recognize that, we're in serious trouble. I agree with you, by the way. You said we're not trying to cut every tree down. In Alaska we set 9 million acres aside, and even George Miller will say, "Well, yeah, but, you know, that's snow caps and mountains." I'll trade you the 1.4 million acres that you won't let us harvest for the 9 million acres, but they don't want to do that either. So there's something—yes, sir?

Mr. MARKHAM. Maybe we could withhold the toilet tissue from the Vice-president. He might get the message. It comes from a tree.

The CHAIRMAN. Well, I'd love to do that——

Mr. MARKHAM. I understand.

The CHAIRMAN. [continuing]—because he'd being doing more on that—never mind.

Mr. TAYLOR. Congressman, I wanted to thank you again on behalf of this panel and the entire membership of the Western States Forestry Task Force, and to tell you that I'm sorry some of our panel members had to leave. We're scheduled to be having an appointment with Senator Murkowsky at his office about 18 minutes ago, so——

The CHAIRMAN. Well, you'd better get going. By the way, hey, Robin, you be on time. I guarantee the senators are never on time, and you're a senator. They're never on time. With that, I thank you all and this hearing is adjourned.

[Whereupon, at 3:50 p.m. the Committee was adjourned; and the following was submitted for the record:]

House Committee on Resources

Testimony of Senator Tim Leslie
First District, California

April 18, 1996

Good afternoon, Mr. Chairman and Members of the Committee, my name is Tim Leslie. I am the State Senator for California's First District, which encompasses about 25,000 square miles of the Sierra Nevada, from Mammoth Lakes on the south to the Oregon border on the north. It has approximately 350 miles of common border with the state of Nevada, and includes about seven million acres of zoned timber land.

Timber health in this region has been devastated by a combination of factors. Early timber practices of the late 1800s and early 1900s, drastic reduction of federal timber management through harvest, and years of drought and the resultant beetle infestation, has left a once vital and healthy forest in a sickened condition, waiting to erupt into a cataclysmic fire.

I am not exaggerating.

In a recent tour of the Plumas forest, the dedicated, understaffed and over regulated employees of the United States Forest Service, convinced me that if we continue to manage the forest as we are today, there will be NO forest on the east side of the Sierra within the next fifty years. This time frame, I am sure, can be debated; but the prospects of a viable forest into the future can not be debated. Unless we change our ways, and do it quickly, THERE ARE NO prospects for a viable forest into the future.

I know that environmental interests love trees as much as I do. I can not believe they would wish the destruction of the forest. I can not believe that the annihilation of the forest on the east side of the Sierra would be acceptable to them, or to anyone. And yet, that is exactly what is going to happen.

We must act immediately. I would like to suggest the following:

1.) The health condition of the forest in the Sierra Nevada should be considered as a National Emergency, so that streamlined steps can be taken immediately to reduce the threat of massive and devastating fires.

2.) The U.S. Forest Service should begin immediately to implement its own Technical Fuels Report. This is a specific plan developed in July 1995, and approved by the Forest Supervisors of the Lassen, Plumas and Tahoe National Forests.

a.) It is a specific report on the exact steps that need to be taken to reduce fire danger in approximately 2.4 million acres of U.S. forest lands.

b.) It's stated objectives are to:

i.) Improve firefighter safety by providing relatively safe areas from which offensive action can be taken against fires;

ii.) Protect communities from wildfire by creation of community defense zones;

iii.) Optimize use of limited fuel treatment funds by ensuring that fuel treatment is done in a strategic manner.

c.) The report calls for a strategy of:

i.) Defensible Fuel Profile Zones -- strategically located strips of blocks of land on which fuels, both living and dead, have been modified, thereby creating a modified fuel break. This fuel break can vary in size, shape or width, and can be located along roads, ridge tops or in a canyon bottom. As modified fuel breaks are intended to reduce the rate of spread of a wind-driven fire, these DFPZs could prevent a small fire from becoming a catastrophic fire.

ii.) Community Defense Zones -- areas around or within communities where fuels have been modified to increase protection of the community from wildfire. Within a Community Defense Zone, fuels are reduced and canopy closures are reduced to slow an approaching fire.

iii.) Fuel Reduction Zones -- areas in which continuous high hazard fuels such as snags, down logs, and canopy closures are broken up.

3.) As the conditions of the Plumas, Sierra and Tahoe National Forests are similar to other areas in the West, make immediate implementation of the Technical Fuels Report a pilot project, so that its impact and results can be studied and used, where appropriate, in other areas of extreme fire danger.

4.) The House Committee on Resources should schedule an on-site inspection of the region to determine if the hazard is as I have stated, and determine the viability of this region for a pilot project that would test the recommendations of the Technical Fuels Report ~~as a strategy for forest health and fire protection in~~ other areas in the West.

The lands I am talking about are substantially in federal ownership. They are the responsibility of the federal government. The federal government is doing a terrible job in managing their responsibility. I repeat what I said earlier: There will be no forest on the east side of the Sierra unless we change our forest practices immediately. Surely this is an alternative that can be acceptable to no one.

I have introduced Senate Joint Resolution (SJR) 41 in the California Legislature which encourages the President and the Congress of the United States to direct the United States Forest Service to fully implement the recommendation contained in the Technical Fuels Report. I have asked Governor Wilson ~~to join me in this effort, and we expect to hear from him shortly on his response~~.

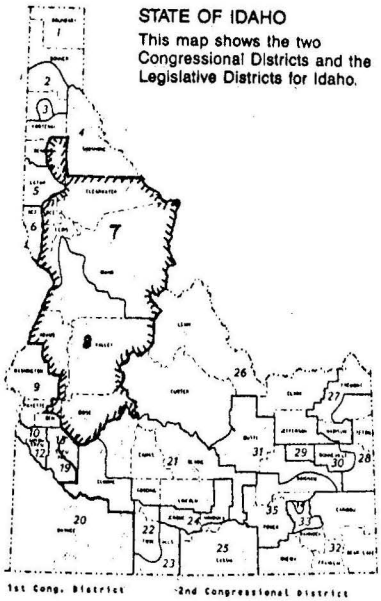
The Technical Fuels Report was prepared by the U. S. Forest Service. It is the best available suggestion for saving our forest. I am not calling for something radical. I am simply requesting that you do what your own experts have said is necessary to protect the majestic forest of the Sierra Nevada.

Thank you ~~for your consideration~~.

Before The

HOUSE RESOURCE COMMITTEE
UNITED STATES HOUSE OF REPRESENTATIVE

THE HONORABLE DON YOUNG
CHAIRMAN



Representative Charles D. Cuddy
Idaho State Legislature
District 7

April 17, 1996

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House of Representatives
State of Idaho

Honorable Chairman Young and Members of the House Resource Committee:

Thank you for the privilege to appear before you and this committee today. The work you people do and the issues you consider are very important to the Western States as we contain the vast majority of Federally held public lands.

The two adjacent Legislative Districts represented by myself and Idaho State Senator Danielson, who is here today, encompass approximately 20,000 square miles - an area larger than many Eastern States. Included in these districts are all of the Clearwater, Nez Perce and Payette National Forests and parts of the Panhandle and Boise Forests. The heart of Idaho and some of the most productive timber land East of the West slope of the Cascade Mountain Range are located within the boundaries of our districts.

Four million acres of land are contained in the Nez Perce and Clearwater National Forests. Approximately 50% of this land is productive timber land. If efficiently managed under multiple use and forest health concepts, the financial benefits to all levels of government and public schools could be substantially increased. Further, recreational access and value to the general public would be enhanced.

I have distributed a copy of an article for your review that explains much of what has transpired in the West that has substantially and simultaneously reduced wild life habitat and resource production while, at the same time, exponentially increased the probability of occurance of devastating uncontrollable wild fires (the last paragraph of page one and the first paragraph of page two of the article clearly explains this very real situation). These conditions and many others have impaired professional resource management on our Federally owned lands are in dire need of measures to correct conflicting laws and modify regulations that are the root of the management dilemma.

In my estimation the problem does not lie with the Federal employees who are charged with attempting to professionally manage the resource, but with the conflicting laws, rules and regulations I just mentioned that invite appeal and litigation. In that regard, I understand a study of these rules, regulations and laws was presented to the Department of Agriculture some time ago. This could be a very useful tool in resolving some of the impairments that deter efficient management.

CHARLES D. CUDDY
IDAHO STATE REPRESENTATIVE
DISTRICT 7

As an Idaho Legislator I have found that even within the State it can be very difficult to draft resource legislation that is applicable to the various types of vegetation, topography, precipitation, etc. that change from region to region. As a result we have adopted laws that allow our Department of Lands and Division of Environmental Quality to cooperatively draft forest practices and water quality regulations that are reasonably implemented and protect the environment.

There may be a process available that could lead to more rapid resolution of Federal management difficulties I would like to suggest - negotiation with each State to contractually manage under State law parts of Federal land. This would not only help solve problems associated with conflicting Federal policies, but would put to rest the National tug of war resulting from pressure from different interest groups and Federal agencies that claim various amounts of overlapping jurisdiction.

A recent inquiry with one of the National Forests in my Legislative District revealed the fact that any timber sale of substantial quantity is appealed, and on many occasions more than once. This represents approximately 50% of the sales ~~prepared on this forest~~, but more importantly it ~~also~~ consumes more than 50% of the time required to prepare sales.

Clearly the best example I can give you demonstrating the difficulties, delays and overreaction that occurs with timber sales took place on a small State of Idaho sale located South of the Middle Fork of the Clearwater River. The project ~~had approximately~~ one-quarter of a mile of access over an existing crushed rock surfaced Forest Service road which had been used for Forest Service timber removal. Federal agencies reviewed the sale boundaries disregarding the fact this sale was on State land and complied with the State Forest Practices Act and Water Quality Standards. After these reviews by Federal agencies, which included National Marine Fisheries, the only change was to remove five trees from the sale boundary. This process required 18 months delay on a sale that required hauling approximately fifty truck loads of logs ~~over an existing road that had previously been used for the same purpose~~.

Included with this presentation is an executive summary of a study of timber impacts in North Central Idaho. The point that change in resource management of Federal lands is necessary to maintain the economy where the Federal Government is the predominate land owner is reiterated in this study.

CHARLES D. CUDDY
IDAHO STATE REPRESENTATIVE
DISTRICT 7

This year, with bipartisan sponsorship and participation, Idaho passed legislation that provides the opportunity for the State to entertain negotiations with the Federal Government to contractually manage multiple use Federal lands. Negotiations of this magnitude would require serious consideration of several issues from both entities. In particular, recreational opportunities would have to be maintained, public access would need to be planned and provided, and revenue would have to be shared in a manner that continues to provide funding for local entities of government in lieu of taxes.

I believe the following examples will demonstrate that Idaho has the capability to accommodate such an undertaking. In my area the State of Idaho currently manages approximately 250,000 acres. By practicing environmentally sensitive sustained yield management this 250,000 acres has and will continue to produce 50 to 60 million board feet per year. This is compared to the 4 million acres on the Clearwater and Nez Perce Forests that are capable of sustaining over 200 million board feet per year, but in the recent past have produced less board feet than the States 250,000 acres.

Idaho also has the capability and expertise to protect forests from wild fire. For that matter, in my Legislative District a non-profit corporation operated through the State Land Board is responsible for protection of 1,000,000 acres of very productive forest land. This group has a remarkable history of controlling forest fires at about 50% of the Federal cost per fire considering relative conditions.

In 1994 when the West experienced extreme wild fire difficulty this same organization experienced approximately 200 fires over a 48 hour period. Typical of their historic performance, the largest area burned by any of these fires was 26 acres. This organization is quite unique as they emphasize quick response and have innovatively utilized Federal surplus equipment for much of their rolling stock.

I believe I have demonstrated to you that Idaho has adequate environmental protection and the professional capability to work with the Federal Government in resolving issues that directly affect a large part of, in fact 57%, of North Idaho's economy.

Forests, fires and elk

Logging for Healthy Habitat?

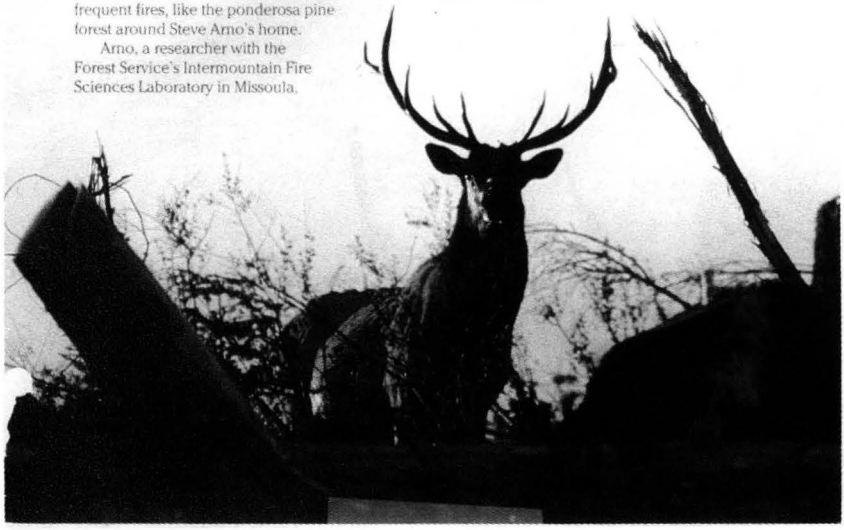
by David Stalling

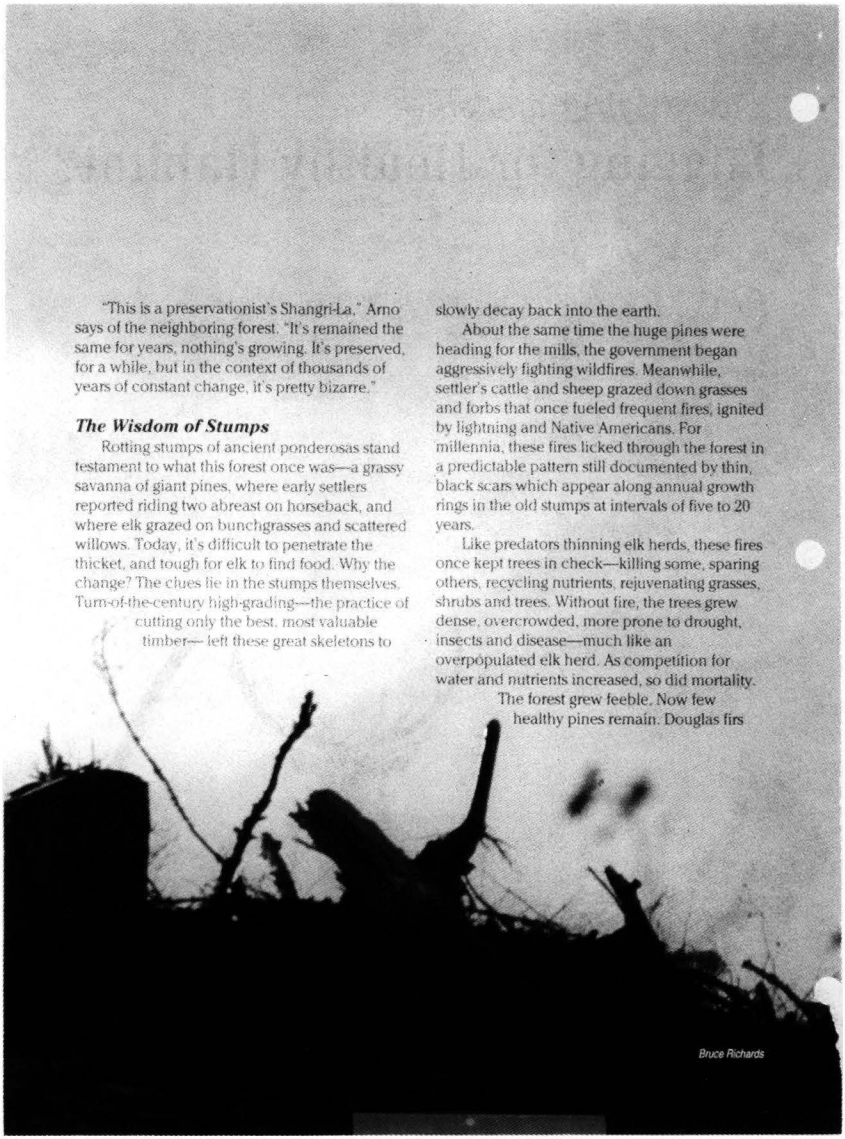
Cutting trees is a sensitive, complex issue, a difficult act to defend. Like hunting elk. And like hunting elk, it can be done well or badly. But what is good logging? Is it logging that makes a profit? Logging that creates forage for elk? Logging that looks nice to people when it's done?

To Steve Arno, good logging means working within the bounds of natural systems—emulating natural processes, maintaining all components of a healthy forest, from elk to the grasses and forbs that sustain them. And given the forestry practices of the past 200 years, a little good logging now may actually be necessary to restore and maintain healthy forests. This is especially so in places that evolved with frequent fires, like the ponderosa pine forest around Steve Arno's home.

Arno, a researcher with the Forest Service's Intermountain Fire Sciences Laboratory in Missoula, Montana, has studied the ecology of forests and fires for more than 30 years. During that time, he's helped hone methods to restore and maintain healthy forests using logging and fire. His own land—60 acres in the foothills of Montana's Bitterroot Mountains—provides a showcase for these ideas.

An open stand of ponderosa pines now towers over a forest floor covered with grass and scattered clumps of willow and Douglas fir. But Arno's land wasn't always that way. When he bought the place in 1971, it looked like some adjacent lands still do—a thick tangle of firs and scrawny pines, with little or no grasses or shrubs poking through a dense blanket of needles and dead branches.





"This is a preservationist's Shangri-La," Arno says of the neighboring forest. "It's remained the same for years, nothing's growing. It's preserved, for a while, but in the context of thousands of years of constant change, it's pretty bizarre."

The Wisdom of Stumps

Rotting stumps of ancient ponderosas stand testament to what this forest once was—a grassy savanna of giant pines, where early settlers reported riding two abreast on horseback, and where elk grazed on bunchgrasses and scattered willows. Today, it's difficult to penetrate the thicket, and tough for elk to find food. Why the change? The clues lie in the stumps themselves. Turn-of-the-century high-grading—the practice of cutting only the best, most valuable timber— left these great skeletons to slowly decay back into the earth.

About the same time the huge pines were heading for the mills, the government began aggressively fighting wildfires. Meanwhile, settler's cattle and sheep grazed down grasses and forbs that once fueled frequent fires, ignited by lightning and Native Americans. For millennia, these fires licked through the forest in a predictable pattern still documented by thin, black scars which appear along annual growth rings in the old stumps at intervals of five to 20 years.

Like predators thinning elk herds, these fires once kept trees in check—killing some, sparing others, recycling nutrients, rejuvenating grasses, shrubs and trees. Without fire, the trees grew dense, overcrowded, more prone to drought, insects and disease—much like an overpopulated elk herd. As competition for water and nutrients increased, so did mortality. The forest grew feeble. Now few healthy pines remain. Douglas firs

Bruce Richards

These photos document 40 years of unnatural succession in a ponderosa pine stand on Montana's Bitterroot National Forest. In 1909, loggers cut some trees from an open, grassy forest of towering pines. For thousands of years, frequent wildfires swept through such pine savannas, killing young firs, recycling nutrients and rejuvenating grasses and forbs. The fire-resistant pines survived. But for the last century, people have waged a vigilant campaign against wildfires. By 1927, Douglas fir and grand fir began dominating the forest understory. By 1948, dense clumps of fir were choking out pines, shading out grasses and forbs. With too many trees competing for water, sun and nutrients, these fir thickets have since grown weak, fueling wildfires far larger and more intense than the frequent ground fires that historically occurred. (photos courtesy [illegible] Forest Service)

grow shoulder to shoulder, many dead or dying from mistletoe, bark beetles, root rot and other maladies. Forty-year-old ponderosas that should be 25 to 45 feet tall stand no higher than a person, deformed and crippled by comandra blister rust, a parasitic canker sapping life from the pines.

"These trees didn't evolve to defend themselves from this," Arno says. "Historically, fires did not allow large areas of stagnated saplings to develop. Fires thinned the saplings and did not offer a major breeding ground for the disease."

In the same way, brucellosis is common in elk that congregate each winter on the feedgrounds of the National Elk Refuge, while it is virtually nonexistent in elk that eat natural forage in the winter and remain more dispersed. Without fire to keep stands open and reduce competition from firs, opening the forest canopy, allowing sunlight to reach the ground and replenish nutrients, pines don't have a chance. Like elk, trees need healthy habitat. Fire is as essential as sun and rain.

"Forests are processes, not just trees and plants," Arno says. "And these forests can't survive and remain healthy without processes such as fire."

He explains it this way: "Imagine having an old grandfather clock with a glass front exposing the internal gears. You don't like the looks of one of the gears, so you remove it. Of course, you can't remove the gear and expect the clock to work, yet people expect nature to work without fire."

It hasn't. Throughout the West, fire exclusion, logging and grazing have converted open ponderosa pine forests to fir thickets, providing elk plenty of hiding cover but little forage. Yet forage becomes increasingly critical to elk as subdivisions and strip malls usurp what was once the rich low-elevation mix of pines, riparian hardwoods and grasslands. As more and more people build homes in these forests, they see the immense stumps of ponderosas that once grew there and shake their heads in wistful disbelief. But most of them intuitively reject the idea that burning and logging could actually help bring back those great pines.

When Arno looked at the monolithic old stumps on his place, he saw more than relics of

a bygone era. He saw a compelling history—and a guide to the future. Listening to the stumps, Arno began by cutting Douglas firs and sickly pines, leaving the larger, healthier pines, simulating as best he could fire's predation. In the process, he made some income, selling firewood, and pulp and saw logs to local mills. This logging and burning slash in hand-built piles reduced fuels that had accumulated during nearly a century of fire exclusion, fuels that could feed fires far larger and more intense than the frequent surface fires that once occurred—the kind of conflagrations that can damage soils, vegetation and wildlife. Then he brought back fire, torching low clumps of dead willows and stagnant aspen. Now, a year since the last burn, Arno's land is green with pinegrass, bunchgrass, willows, snowbrush and aspen suckers. And elk and deer frequent his land once more.

Restoration Logging

This is the kind of logging Arno would like to see done throughout the lower-elevation pine forests on private and public lands. Restoration logging, he calls it.

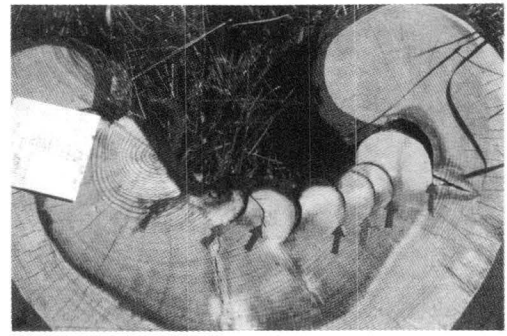
"Forests are constantly changing, dependant on periodic disturbances," Arno says. "We can mimic those disturbances with carefully designed harvesting and prescribed fire—not recreating the original forests, but learning from nature, using nature as a guide, maintaining components and processes which these forests evolved with and depend on."

When many people think of logging, they envision denuded mountainsides webbed with roads. And they know some logging operations are still managed for short-term profit, not as part of a long-term process to restore and maintain the health and sustainability of the land. Bad logging inflames cynicism and mistrust. In the same way that many people oppose killing elk, many people now protest cutting trees, anywhere, anytime, no matter the reason. Passion and lack of understanding often fuel these debates. But just as the fact that tusk and hide hunters decimated elk herds at the turn of the century doesn't make all hunting bad, massive clearcuts on steep slopes don't make all logging bad.

Good forestry and wildlife management rest on this fundamental premise: a surplus can be sustainably used by people. And Americans do use wood products. Lots of them. The typical U.S. citizen consumes wood and paper products equivalent to what can be produced from one 100-foot tree every year. This figure includes 663 pounds of paper per person each year, as well as wood fiber in forms as diverse as insulation, rayon, oils, paints and fuels. Small trees are mulched and glued into particle board, wafer board, laminated lumber . . . the list goes on.

"We are still hunter-gatherers, we still need to make a living from the land," Arno says. "We can do so and still maintain wildlife and aesthetics."

Arno believes that the United States should rely on homegrown trees to meet its needs rather than importing timber. While U.S. timber companies export 3.3 billion board feet of timber each year, the U.S. imported 17 billion board feet of processed lumber and raw logs last year. Nearly half of all wood products consumed in the United States today come from other countries—mostly Canada—and such places don't necessarily practice enlightened forestry. Arno's vision of "light-on-the-land" logging—restoring and maintaining healthy forests,



The fire scars in this ponderosa pine stump reveal a history of frequent wildfires occurring from 1713 to 1886. Unable to penetrate the trees thick, protective bark, the flames only scared the pine while killing firs and younger, weaker pines competing for water, nutrients and space—helping this tree grow fast and strong. (photo courtesy U.S. Forest Service)

After logging to reduce fuels accumulated from years of fire suppression, foresters are increasingly using prescribed fire to restore many forests to more natural, healthier conditions. (Randy Davis photo)

The cones of lodgepole pines only open and disperse their seeds when exposed to intense heat. These high-elevation forests evolved with infrequent, big, hot fires that killed older trees but germinated seedlings. Logging and hot prescribed burns can help emulate those processes and maintain a mosaic of young and old pine stands, providing habitat for a variety of wildlife. (Bob Bennett photo)

employing local people—contrasts sharply with this condition.

"We don't need to rob from other societies to support our consumption," he says, "We can, and need to, manage our own forests to improve forest health and reduce the risk of severe wildfires."

Forest Health Emergency?

Logging for healthy forests strikes many people as an oxymoron. Others cautiously embrace it. But some loggers, foresters and timber companies have jumped aboard a "forest health" bandwagon, claiming logging can reduce fire danger and improve forests just about everywhere. This is akin to suggesting that a spike-only season is the right prescription for hunting in all elk herds.

In the name of a "forest health emergency," the U.S. Congress enacted legislation last July that denies the public the opportunity to appeal "salvage" logging of dead and dying timber on public lands. Despite broad public criticism, several national forests have invoked the salvage bill to build new roads and cut dead trees—and live trees, too, if a forester deems them unhealthy. Even trees blown down by strong winds are now being quickly salvaged. But dead and decaying trees are as much a part of healthy forests as fire, wind and rain. Simply removing them ignores the complexities of forest health and further alienates people, provoking controversy instead of consensus. Efforts to get people into the woods and show them sites that demonstrate good forestry are far more likely to regain public trust.

Forest health problems do, indeed, exist, with serious implications for elk. From the Cascade Mountains of Oregon to the Front Range of Colorado, and from British Columbia to Arizona, fire exclusion, logging, grazing and human development have transformed millions of acres of ponderosa pine savannas. In fact, Wallace Covington, an ecologist at Northern Arizona University in Flagstaff, calls ponderosa

pine savannas the most endangered forests in the West.

Covington studies ponderosa pine forests in Arizona, comparing current conditions to pre-settlement times. On the Coconino National Forest, where pine and bunchgrass coexisted with fire for 2 to 5 million years, there were once about two dozen trees per acre—a wide open pine stand with a grassy understory. Today, roughly 850 trees choke each acre. Where 1,000 pounds of grasses and forbs once flourished in each acre of land—sustaining great herds of deer and elk—350 pounds per acre now grow. As the profusion of trees compete for moisture, nutrients, sun and space, they become increasingly stressed. Burning won't solve the problems, Covington says. In the absence of fire, a thick, sterile carpet of duff has crept up the bases of trees. A fire now would not be like the periodic, low-intensity ground fires that once thinned forests. It would be a large, intense fire, reaching high into the crowns and deep into the soils, killing mature pines along with the crowded understory.

That's precisely what happened in a fir-snarled former pine savanna much farther north. On August 19, 1992, a dozen lightning strikes in the foothills east of Boise, Idaho, sparked a blaze that burned 257,000 acres of forests and rangelands, including large pines. The fire scorched one stream to bedrock, wiping out a population of increasingly rare bull trout. Efforts to protect homes cost more than $24 million. One area, however, didn't burn. When it reached Tiger Creek, the blaze lay low and merely burned off the underbrush in a 2,500-acre stand of ponderosa pines—the only survivors within miles. The Tiger stand had previously been logged to remove the understory of fir and reduce fuels, and prescribed fire had been used to restore and rejuvenate grasses.

Like the pine savannas, great stands of aspens grew in what is now Arizona and New Mexico. But in the past century, more than half the aspen forests that existed in pre-settlement times have disappeared. Now, efforts to log tangles of piñon, juniper and fir—combined with prescribed fire—are helping restore the aspens that are synonymous with elk country in the Southwest. And in the moist Sitka spruce and hemlock forests along the West Coast, when conditions were just right every few hundred years, intense fires created expansive openings of grasses and forbs, providing forage for Roosevelt's elk. Here, too, logging and fire may be essential to maintain healthy elk habitat.

Toward Common Goals

But few logging operations occur without heated debate these days. If nothing else, forest health issues may serve as a catalyst to bring people together.

"There hasn't been much effort in the past to explain forestry practices," says Seth Diamond, wildlife program director for the Intermountain Forest Industry Association. "The public has evolved from not being involved, to reacting and criticizing, to where they are now getting out in the woods, learning about forestry and sharing their ideas and concerns. Unfortunately, logging has polarized and alienated a lot of people—but we need those people to help us find solutions to complicated problems. People need to be aware of the consequences and tradeoffs of different options. Yes, there were large fires

By bringing people into the woods to demonstrate and explain forestry issues, foresters and land managers can help folks better understand forest ecology and the role of fire and logging in restoring healthy forests. (photo courtesy Chuck Bartlebaugh C.W.I.)

historically, but is that acceptable today in all places? And if not, what do we want to do? These ecosystems evolved with disturbances like fire, and logging can create similar circumstances."

While logging can reduce fuels and allow managers to safely restore fire, Arno is quick to point out that logging alone cannot replicate fire. Tom Atzet, a Forest Service ecologist for southwestern Oregon forests, agrees.

"Some people say logging is a wholesale substitute for fire," Atzet says. "It isn't. We don't yet understand all of the physical and chemical properties of fire, or the effects fire has on organisms within the environment. Logging can help in some places, by reducing fuels, but as far as nutrient cycling, fire certainly does things that logging doesn't."

Biologists have demonstrated over and over the critical link between fire and countless species of birds, mammals and insects. Even some lichens, which cling to trees and rocks and take their sustenance from air and rain—coincidentally serving as key indicators of air quality—may require fire to survive. Atzet says recent research suggests lichens may inhale nutrients from wildfire smoke. In the big picture, we still know very little about the millions of intricate relationships between fire and forest organisms, but we do understand this much: fire

What's Good for the Goose May Kill the Gander

The great pitfall of "forest health" lies in people's tendency to overgeneralize. What works in one forest may prove disastrous elsewhere. For example, high-elevation forests like lodgepole pine evolved with less frequent, more intense wildfires. These burns created a patch of grass here, a small stand of young lodgepole there, and some dense old-growth nearby to form a classic mosaic, supporting everything from elk and deer to pine martens and owls. But years of fire exclusion and logging have allowed lodgepoles to grow into larger, more uniform stands with little diversity. Pine beetle epidemics and large wildfires are on the rise.

But thinning and burning the understory would be absurd here. Scattered clearcuts and more intense prescribed burns would more closely follow historic natural patterns of fire. In the high country of Idaho's Selway Bitterroot Wilderness, for instance, large hot fires occasionally burn dry, south-facing slopes creating huge brushfields, while sparing the spruce and fir on moist north slopes. Viewed from above, the patchwork of trees and openings is difficult to distinguish from clearcuts in adjacent logged areas—except for the roads.

Foresters prescribe distinct treatments to different forests. Clearcutting ponderosas can be like amputating the leg of a heart attack victim. So can thinning lodgepole. But when economic and social pressures transcend genuine forest health considerations, land managers may prescribe the wrong treatment in the wrong place. That's why clearcuts have a bad name, and why folks think selective cuts are always best. Clearcuts assault people's senses, while a selectively thinned forest seldom draws attention. But aesthetics don't always equate to good forestry. Selective logging has become synonymous with good forestry, yet if only large, valuable trees are selectively cut, it's nothing more than high-grading.

Of course, logging plans must account for social and economic factors. Modern technology allows for logging that's lighter on the land than past practices, but not without tradeoffs. Helicopter logging can eliminate the need for roads in some areas, but to make a profit, loggers may have to cut bigger, more valuable trees, like mature ponderosa pines and larches—often the very fire-adapted, fire-dependant species foresters are trying to restore. More traditional equipment like grapple skidders and feller bunchers costs less, but requires roads and skid trails.

Some state-of-the-art machinery, like harvesters and forwarders (that together form a "cut-to-length system" that cuts, limbs and loads trees on the spot) can range far from roads, reducing the number of roads required. Equipped with wide, rubber tires, the machines cause less erosion and soil compression than traditional equipment, and they can process small-diameter fir thickets that may be impractical to log otherwise. But together they cost about $700,000.

Every technique has benefits, each has faults. Much depends on the types of trees to be cut, when they are cut, the nature of the terrain where they grow, the going price of lumber and pulp, and whether the trees are on public or private land. Logging on private lands tends to have a more singular focus. Expensive, time-consuming thinnings and prescribed burns don't boost the bottom line of timber company ledgers. And timber companies are in business to make money. If they don't, a lot of elk habitat could be sold and used for other profit-making ventures—like subdivisions or exclusive hunting resorts.

In contrast, agencies charged with stewardship of public lands may view logging to restore and maintain healthy forests as essential, even if they have to do it without making a profit—much like they use controlled burns to maintain healthy elk winter range. Like prescribed fire, logging can be an important way to restore natural vigor to a forest.

—D.S.

is essential to healthy forests.

For many, though, fire conjures images of charred homes and Bambi fleeing a wall of flames. Some people aren't willing to accept the risk of prescribed fire, or simply don't want to choke on smoke lingering in valleys. Just as many don't want logging occurring near their homes. But there is risk in doing nothing as well.

"It's like holding your hand over a dripping hose," Atzet says. "For a while, you can keep the water from coming out. But the pressure builds and builds. Eventually, the water bursts out with far more power and intensity than if you just let it drip. We've held it back for awhile, but now fuel loads are high, and forests are ready to explode."

Unfortunately for elk, land managers tend to meet the most resistance to logging and burning where people are building homes. This also happens to be where ponderosa pine forests are most in need of thinning and burning, where elk spend harsh winters and require grasses and forbs that can only be restored and sustained by burning and logging, and where elk have already lost millions of tons of forage to human sprawl. Only by working together will people solve such dilemmas.

Atzet has a disabled son, who has been in and out of hospitals for years. At times, Atzet grows frustrated with doctors who leave him to fidget in waiting rooms, uninformed.

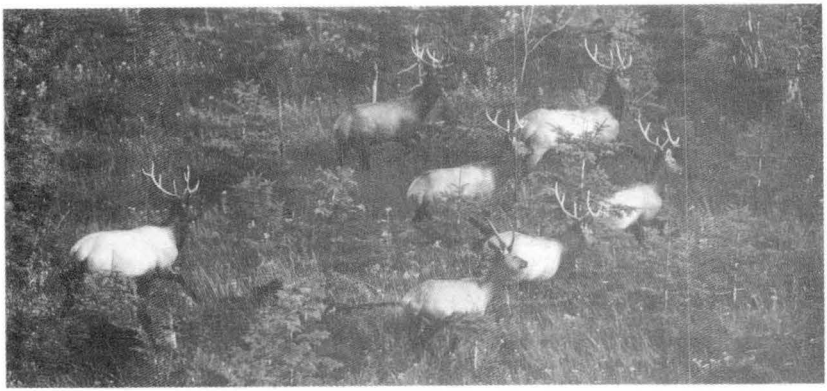
"They have my son's best interest at heart, but treat me like an outsider," he says. "Yet I have more interest in my son than anyone else in the world. It can be that way with forestry. People have a deep interest in forests, and land managers can be like doctors."

On one occasion when Atzet took his son in for a spinal tap, doctors parted the heavy curtain of professional medicine and allowed him to join them in the operating room to watch and help. .

"We were working together toward the same goal," he says. "It can work the same in forest management, by letting people who care join in the process, to watch and help.

"It's not the science. We're not lacking the science to do a good job in managing ecosystems. It's the human element—getting people to work together toward common goals."

Dick Hancock



The mission of the Rocky Mountain Elk Foundation is to ensure the future of elk, other wildlife and their habitat.

Originally published in the Spring 1996 issue of *BUGLE*, the Elk Foundation's quarterly journal, this article is the third in a series on forests, fire and elk. (The previous two focused on the effects of wildfire and prescribed fire on forests and elk). This article is reprinted by the Intermountain Forest Industry Association.

The Elk Foundation is committed to working with private landowners to promote good forest management to enhance habitat for elk and other wildlife. To learn more about our many conservation partnerships with individuals and corporations, please call 1-800-225-5355, ext. 542.

A STUDY OF THE EFFECTS OF CHANGING FEDERAL TIMBER POLICIES ON RURAL COMMUNITIES IN NORTHCENTRAL IDAHO

An economic impact assessment project funded by the 1994 & 1995 Idaho Legislatures

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EXECUTIVE SUMMARY

Who will live in Idaho's rural communities? The timber workers, miners, farmers and ranchers whose families may have laid the shape of present settlement--or a new wave of trade and service workers, catering to burgeoning recreation and tourism, retired families and life-style migrants escaping the strains of urban life. Is it possible to base a thriving economy on both--traditional industries complemented by recreation, tourism, and quality of life? Prompted by dramatic changes in federal timber policies that appeared to influence resource communities, the 1994 Idaho Legislature asked these very questions. They passed House Bill 956 to fund the present study.

Previous analyses had looked at impacts for broad multi-county regions, missing impacts that might be acute at particular communities. In contrast we focus on individual communities. We take into account growth in other parts of the economy, and then convert recent federal timber policy changes into forecasts of impacts on community jobs and income. We also consider local government fiscal impacts. While our study covers northcentral Idaho in detail, our findings have implications for federal policy and natural resource management throughout the West.

Federal Policies Could Close Idaho Sawmills

National Forests dominate Idaho's timber markets. When federal timber sales decline sawmills must compete for logs from smaller sources or close. This has happened throughout the West and mill closures have been frequent--since 1989 over 200 sawmills have closed in neighboring states. As federal timber sale reductions spread eastward, Idaho will see the same pattern.

The Clearwater and Nez Perce National Forests have been the source for nearly half of northcentral Idaho's log use. The uncut inventory from past sales had been keeping mills alive but is not being replenished. National Forest sales have dropped from an allowable sale quantity (ASQ) of 281 million board feet (MMBF) per year proposed in forest plans to only 21 MMBF in 1995. Federal log availability is projected to drop to less than 3 MMBF by year 2000. Our timber analysis predicts the probable closure of 6

KEY FINDINGS

- National Forests dominate Idaho's timber markets
- Federal resource policy changes can restructure local communities
- Clearwater timbershed National Forest timber sales have dropped 93%
- 6 of the area's 9 sawmills could close by year 2000
- Sawmill closures cause 2,900 job and $87 million annual earnings losses
- Region-wide analyses obscure variable community impacts
- Timber towns could lose 30% to 75% of all jobs
- Timber policies have little effect on agricultural or recreation towns
- Timber town losses cause trade center impacts
- Local government deficits could exceed 15%
- Tourism must quadruple to replace earnings losses from mill closures
- Tourism and lifestyle migration growth concentrates in high amenity towns
- Mill closures reduce chip supplies threatening pulpmills
- Forest plan high amenity alternatives would have maintained existing mill capacity
- State management of federal timberlands could keep mills open and supply 5 new ones.
- Effective policy formation requires community focused economic analyses

of the area's 9 sawmills as a direct result of these timber sale reductions.

As a backdrop for timber impacts we assembled a consensus growth forecast for other parts of the economy. Most industries should grow 1% to 3% per year through year 2000. However, agriculture and the federal government are projected to have no growth. Tourism has recently grown at a brisk 5% per year, and many see a similar growth in retired, leisure, and other lifestyle migrants into rural Idaho. We built these growth rates into our backdrop projections.

The Economic Impact of Mill Closures

In northcentral Idaho (Nez Perce, Lewis, Clearwater, and Idaho Counties), closing 6 of the region's 9 sawmills could cause 2,900 timber and timber-linked job losses, and $87 million in annual earnings losses. This would negate expected growth in other sectors. Total jobs stay roughly the same as 1994, but earnings per worker drop by 4%.

Community-level impacts vary greatly. Hardest hit are small towns that are highly specialized in wood products. Elk City could lose a sawmill, and 170 timber and timber-linked jobs. Even with growth forecast in other sectors, and in-migration, Elk City would have 25% fewer jobs in year 2000. Its residents will be poorer--earnings per worker drop by 25%. Kooskia could have 31% fewer jobs, Kendrick/Juliaetta nearly 45% fewer, and Pierce a stunning 75% fewer jobs.

Other Possible Futures

Federal lands can provide commodities or amenities but can they do both? The Clearwater and Nez Perce National Forests plans suggest they could. Their ***high amenity alternatives*** focused on recreational and environmental values, and permitted timber harvesting only where it would not conflict. Despite these limitations, the ***high amenity alternative*** prescribed annual allowable timber sales of 216 MMBF per year, 72 times higher than the 3 MMBF of availability was forecast for year 2000 with current timber policies.

If forests were managed according to the ***high amenity alternative*** the 6 mills previously forecast to close would remain open, and there would be additional volume sufficient to build 5 new mills. Compared to 1994 some communities could see job gains of as much as 40%. Region-wide employment could increase 13%. A proposal for the state of Idaho to manage federal timberlands has nearly identical economic effects.

Can Tourism Replace Lost Timber Income?

Tourism has been growing in Idaho so we asked how much it would have to increase to replace the earnings from 6 closed mills. By year 2000 tourism would have to quadruple. Communities are not equally endowed with amenities so while jobs nearly double in Riggins, Pierce still loses 65% of all its jobs.

Under this transitional scenario high wage timber jobs are replaced by low paying trade and service jobs. Some communities are pauperized, earnings per worker in former sawmill towns drop by as much as 40%.

Changing Timber Policies Affect Local Public Finance

We analyzed fiscal impacts for Idaho County. Timber sale reductions cause a decline in county revenues, including a 65% reduction in federal 25% fund and payments in lieu of taxes. The net effect could be an Idaho County budget deficit of $1.6 million (-17%). School districts face similar reductions. In contrast increased local log use under the Forest Service ***high amenity alternative*** generates a surplus of $1.2 million (13%). The tourism-replaces-timber scenario causes deficits of $2.4 million (-25%).

Sawmill Closures Could Affect the Lewiston Pulpmill

Sawmill closures reduce local wood chip availability causing prices to soar. The ***timber sale reduction scenario*** weakens the Lewiston pulpmill's competitiveness, but we have not yet forecast its closure. If the pulpmill were to close, Lewiston could lose 4,500 jobs (-21% of all jobs) and $145 million in earnings (-28%).

Impact Information Empowers Decision Makers

This study shows why community-focused analyses are necessary for decision makers to understand natural resource policy impacts. Our study is the most ambitious effort to estimate local economic impacts of Forest Service policy ever funded by a state legislature. The availability of such information empowers local authorities.

Who Will Live in Idaho's Rural Communities?

We conclude that National Forest policy greatly influences the answer.

TESTIMONY OF WASHINGTON STATE SENATOR JIM HARGROVE PAGE 1

MEMBER WESTERN STATES FORESTRY TASK FORCE 4-18-96

I have represented the Olympic Peninsula for almost 12 years. I am a also a professional forester. My district has over 1 million acres of wilderness and another 800 thousand acres of U.S.F.S. land that have been put in a virtual preserve status by option 9. The sustainable harvest on the Olympic National Forest prior to the spotted owl listing was about 220-230 million board feet a year. Under the presidents plan it is about 4 million feet of thinning designed to produce more habitat. In 1992 the target for owls in the recovery plan on the peninsula was 200 pairs. We now have counted 229 pairs in the national park alone with another 107 pairs outside the park, 50% over what was said to be necessary for recovery and scientists say the population is stable. What are we trying to save. The real issue seems to be cutting trees at all. In fact the only mature sale to be harvested in the last several years is on the Qulicene district. It was recently freed up by the salvage rider. This harvest brought screams and protests from the environmental community over an approximately 50 acre sale and even a promise from the president to repeal the rider. We also have the ESA effecting our state land private lands with the state rushing head long into a HCP without fully understanding the consequences and private land owners being blackmailed into HCP'S or risk onerous regulations and takings citations. Three years ago some mills were told to re-tool cut younger timber and second growth but that isn't working either. As an example Mayr Bros. A 60 year old firm, having built a new small log mill, went down just last week and it is not known whether they will ever start again.

Where is the balance. As a forester I realize we need to continue to do research and learn how to better protect our environment. This produces more fiber over the long run while protecting the quality of life we all enjoy. I know even my most ardent logger agrees, but what he can't understand is the new religion. The insistence that we cut no more trees. First it was supposed owl habitat, then marbled murrelets, then salmon and even if none are threatened then it is the intrinsic value of old growth. The next will be any tree on any land and I believe agriculture is the next to be broadly attacked.

We need you to make some fundamental changes in the law. The first would be to protect the viability of a species only, not its viability in every location. "Sub" species of salmon and now the marbled murrelet are what is causing great harm now. Another practical help would be to have a private HCP really mean something by adding sufficiency language that if a land owner goes through a plan and abides by it he gets a long term commitment to no more regulations I.E. 150 Years. We also need a quick process for de-listing when assumptions about a species biology are recognized as

false. We also need a way to compare the cost to humanity and stage in protections even if we assume some risk to the species.

The other area that needs to be addressed is property rights. A fundamental issue addressed in our constitution. Why is taking a highway right of way any different that telling a landowner he can no longer use his property.

The families that live in my timber communities are hard working, tax paying citizens that have never asked for a handout and only want to make a living and raise a family. They have been let down by the country they love. The head lines are gone and so are the log truck rallies. Many timber workers have been ushered off into retraining hoping for a future somewhere. Yes, there still is something of our industry to save but the real question is who is next. What industry. What region. What class of american citizens will suffer from this new religion.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
OLYMPIC REGION TIMBER SALES SUMMARY REPORT

Fiscal Years 1986 thru 1995*

FISCAL YEAR	SOLD MBF VOLUME	SOLD BID $ VALUE	REMOVED MBF VOLUME	REMOVED BID $ VALUE
1986	334,052	$36,008,729	385,117	$44,682,383
1987	326,203	$48,791,572	363,235	$46,041,419
1988	213,590	$66,723,960	242,664	$51,492,420
1989	256,052	$83,940,514	198,765	$57,830,856
1990	296,104	$114,101,072	213,875	$78,802,811
1991	152,732	$44,179,489	166,420	$63,862,120
1992	101,035	$27,242,853	140,598	$40,128,123
1993	98,608	$52,394,464	101,673	$31,541,991
1994	56,823	$28,948,644	34,421	$16,195,335
1995	90,162	$35,816,777	39,500	$16,935,057

* Fiscal Year runs from July thru June

Alaska State Legislature

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Judiciary Committee

Vice Chairman,
Transportation Committee

Member:
Resources Committee
Western Legislative Forestry Task Force

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Testimony of Alaska State Senator
Robin L. Taylor
to the
U.S. House of Representatives
Committee on Resources

April 18, 1996

Timber Salvage and Forest Health

The timber salvage and forest health legislation passed last year should have been a useful tool for land managers in the national forests. Unfortunately, the present administration has not implemented the law in the manner the drafters had envisioned. The administration has in fact impeded its implementation and has as a consequence failed to carry it out. I would like to see the law amended to more explicitly carry out the intent of the original measure and have it extended indefinitely.

I would recommend that any remedial legislation be instituted as policy in the National Forest. This act can permit the harvest of significant amounts of timber that would otherwise go to waste by being left to decay. In Alaska it may yet help prevent forest fires in areas where fires are traditionally known to occur.

State Land Trust Concept

The state land trust concept is a useful mechanism to ensure funding for schools and other areas of public concern which are tied to the utilization of public resources in a forest. This makes a good connection between the expenditure of funds and the resources that are consumed or sold. I am strongly considering sponsoring legislation that would apply this concept to Alaska. I think it is important to make a connection between the use of resources and the funding of important public institutions such as education.

Transfer of National Forests to the States

In my role as an Alaska State Senator, I sponsored and the legislature passed a resolution in favor of the transfer of federal lands to the states. I have also sponsored companion legislation to Congressman Young's legislation proposing the transfer of the Tongass National Forest to the State of Alaska. I

filed this legislation out of frustration brought about by the unwieldy federal management of the Tongass. This management has been disastrous to the communities of southeast Alaska in recent years. This is a consequence of increasingly interventionist policies of the federal government.

Prior to the passage of the Alaska National Interest Lands Conservation Act and the Tongass Timber Reform Act, multiple use management of the Tongass was a fairly straightforward local process.

Since the enactment of these two Federal Acts and others, the management of the Tongass has become part of an annual three ring political circus. It has, in effect, brought year to year management of this forest to the national level either in the Congressional, Judicial and now the Executive Branch of government. What this points out is that the management of the forest is totally out of perspective.

The people living in the Tongass are ever vigilant to any potentially harmful industry that might affect the fishing and tourism industries and the local ways of life. People live in southeast Alaska because they value and appreciate the clean air, water and land. It is obvious that they value it, they treasure it so much that they continue to live in a place that measures rainfall in feet rather than inches. This is something that is obvious to any outsider when they see the Tongass. The residents genuinely love this area, we have invested generations of lives here and we don't want to leave it because of a politically caused unemployment.

Under the transfer legislation, I am going to propose that the Tongass be managed by the communities of the Tongass. Sitka for example would hold hearings on harvesting within their region. If they were to oppose timber harvests or a specific timber harvest then there would be no harvest. It would also be useful to tie some source of school funding to the harvest or use of the forest in that region. That way, the affected community could make an informed decision and live with the economic consequences. The manner in which the Tongass is managed now is that the local citizens must lobby the national government on how the lands are managed. This is a very burdensome and inefficient way to manage forests and lands. The local citizen should be given the opportunity to determine the use of these lands.

I would further point out that the State of Alaska and the Alaska State Legislature have historically taken a very conservative approach to land and other forms of resource management. At statehood the state took over a disastrous federal fisheries management program. The federal program had allowed salmon resources to be decimated by the use of fish traps and seasons that were in favor of the Seattle salmon industry magnates. The newly formed State of Alaska took over and took the position that preservation and enhancement of the resource was the primary objective. Fish traps were eliminated and seasons were curtailed. Today we have record fish returns in southeastern and the balance of Alaska.

Alaska has been very cautious in weighing how timber harvesting and mining might affect the fishery resource. Both Alaska's executive and the legislative branch have been cautious regarding its timber policies. The legislature created a forest practices act that is among the toughest in the nation. We can rightfully challenge any state to say that they have done a better job protecting the resources that are dependent on clean water and an overall high quality habitat.

In summary, the State of Alaska can manage the entire land mass known as southeastern Alaska. Alaska has demonstrated that it can be entrusted with the management of resources. It has done an extremely high quality job of managing resources with which it has been entrusted. I would encourage the chairman to continue the efforts to transfer the Tongass National Forest to the State of Alaska.

I would also encourage the transfer of other national forests and other public lands to their respective states. I think these states will do a similarly good job with those lands given both the local and nationwide concern for a high quality of life and environment. Or, we can continue the absentee, politicized mismanagement of these lands wasting over one-half billion tax dollars per year and destroying one small rural resource based community after another.

The choice is yours the people sent you here to make that choice. Do we place our trust in land management with the people who elected you, or with the salaried bureaucrats who routinely appear before you?

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